



ARTICLE II. ALARM SYSTEMS

DIVISION 1. GENERALLY

Sec. 34-26. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm means any device that gives off a visual, audio or radio signal through wires, radiophonic impulse, or other electronic means that is received by audio or light signal on premises at a receiving terminal of a remote location or at the city central communications center receiving terminal.

Alarm administrator means a person designated by the chief of police to administer, control, and review alarm applications, permits, and alarm dispatch request.

Alarm business means the business, by an individual, partnership, corporation, or other entity, of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing, or monitoring an alarm system in an alarm site.

Alarm dispatch request means a notification to the police by the alarm business that an alarm, either manual or automatic, has been activated at a particular alarm site.

Alarm review board means a board which shall consist of five members as follows: the alarm administrator, a telecommunicator or other person appointed by the chief of police, a local alarm business representative appointed by the local alarm association, and two members of the public at large appointed by the chief of police.

Alarm site means a single premises or location served by an alarm system. Each tenancy, if served by a separate alarm system in a multi-tenant building or complex, shall be considered a separate alarm site.

Alarm system means a device or series of devices, including but not limited to systems interconnected with radio frequency signals which are designed to discourage crime by emitting or transmitting a remote or local audible, visual, or electronic signal indicating an alarm condition. The term "alarm system" does not include an alarm:

- (1) Installed on a vehicle, unless the vehicle is permanently located at a site; or
- (2) Designed to alert only the inhabitants of a premises that does not have a sounding device which can be heard on the exterior of the alarm site.

Alarm user means any person or other entity who uses an alarm system at his alarm site.

Chief means the chief of police or an authorized representative.

Conversion means the transaction or process by which one alarm business begins monitoring of an alarm system previously monitored by another alarm business.

Duress alarm means a silent alarm signal generated by the manual activation of a device intended to signal a crisis situation requiring police response.



False alarm means the activation of a burglar, holdup, fire, smoke, or medical emergency alarm at a time when there is no burglary or holdup or attempt of such, no fire, no smoke, or no medical emergency. However, any alarm activated by natural causes, including but not limited to tornadoes and severe windstorms, or by malicious acts of persons not under the direction or control of the alarm owner or lessee of the premises of an alarm system or an actual emergency shall not be considered a false alarm. Persons employed or hired for maintenance work, repair and refinishing, or cleanup service shall be considered under control of the alarm owner or lessee of the premises on which the alarm is located.

False alarm dispatch means an alarm dispatch request to the police department when the responding officer finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the alarm site. An alarm dispatch request which is canceled by the alarm business or the alarm user prior to the time the responding officer reaches the alarm site shall not be considered a false alarm dispatch.

False alarm user awareness class means a class operated by the police department for the purpose of educating alarm users about the problems created by false alarm dispatches and in the responsible use of their alarm system.

Holdup alarm means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

Keypad means a device that allows control of an alarm system by the manual entering of a coded sequence of numbers or letters.

Monitoring means the process by which an alarm business receives signals from alarm systems and relays an alarm dispatch request to the city for the purpose of summoning police response to the alarm site.

One plus duress alarm means the manual activation of a silent alarm signal by entering at a keypad a code that adds one to the last digit of the normal arm/disarm code (normal code = 1234; one plus duress code = 1235).

Takeover means the transaction or process by which an alarm user takes over control of an existing alarm system which was previously controlled by another alarm user.

Verify means an attempt by the alarm business or its representative to contact the alarm site by telephonic or other electronic means, whether or not actual contact with a person is made, before requesting a police dispatch, in an attempt to avoid unnecessary alarm dispatch requests.

Voice tape dialer means an electronically operated instrument which, when initiated by whatever means, automatically dials a prerecorded or programmed telephone number over public telephone lines and transmits an audio prerecorded taped message indicating for what the alarm has been generated.

(Code 1967, § 21/2-1; Ord. No. 98-02, § 2 (2), 1-27-1998)

a) The purpose of this article is to encourage alarm users and alarm businesses to maintain the operation reliability and property to use alarm systems and to reduce or eliminate false alarm dispatch requests.

(b) This article governs systems intended to summon police response, requires permits, establishes fees, provides for penalties for violations, and establishes a system of administration and conditions for suspension or loss of permits.

(Ord. No. 98-02, § 2 (1), 1-27-1998)



Cross reference(s)--Definitions generally, § 1-2.

Sec. 34-27. Purpose.

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(Ord. No. 98-02, § 2 (1), 1-27-1998)

Sec. 34-28. Unlawful use prohibited.

It shall be unlawful for any person to have or maintain on any premises any burglary, holdup, fire, smoke or medical emergency alarm without having first obtained a permit for such alarm from the fire or police department.

(Code 1967, § 21/2-2)

Sec. 34-29. Updating permit application.

It shall be unlawful for any alarm system permit holder to fail or refuse to amend or update his alarm system application within ten days after any of the information required and contained therein is or becomes outdated or inaccurate.

(Code 1967, § 21/2-4)

Sec. 34-30. Voice tape dialers.

(a) When voice tape dialers are utilized to transmit an intrusion or a signaling of an alarm system, it shall be unlawful for any person to program such dialer to any fire or police emergency telephone number unless so authorized by the chief of the fire department or the chief of the police department.

(b) The contents of the recording tape of such dialer must be intelligible. Each message must contain the name, address and telephone number of the subscriber from whom the alarm is being generated and whether it is a burglary, holdup, fire, smoke or medical emergency alarm. The message must be transmitted twice and shall be no longer than 30 seconds duration each. Authorization for a permit for such dialer shall be limited to a person deemed so handicapped as impossible or improbable to dial, touch or operate a conventional telephone instrument or deemed as to have physical or mental ability to dial, touch or operate a conventional telephone instrument.

(Code 1967, § 21/2-5)



Sec. 34-31. Deactivation.

It shall be unlawful for any alarm system owner or operator to cause or permit an audible alarm, for whatever use, to sound in excess of one hour or to allow a system to cycle on and off for more than one hour.

(Code 1967, § 21/2-6)

Sec. 34-32. False alarms prohibited.

It shall be unlawful for any person to knowingly activate an alarm system for the purpose of summoning fire or police personnel, unless such person knows or suspects that there is an actual or attempted burglary or holdup or he knows or suspects that there is a fire, smoke or medical emergency.

(Code 1967, § 21/2-7)

Sec. 34-33. Grace period for new system.

Whenever a new alarm system is installed, the permit holder shall be given 30 days from the date of complete installation of such alarm system within which no alarm from the premises shall be deemed to be a false alarm.

(Code 1967, § 21/2-9)

Sec. 34-34. Installation by individual tenant in apartment complex.

(a) If an alarm system installed by an individual tenant in an apartment complex unit is monitored, the tenant must provide to the alarm business which is providing the monitoring service the name of a representative of the apartment owner or property manager who can grant access to the apartment.

(b) A tenant of an apartment complex shall also obtain an alarm permit from the alarm administrator before operating or causing the operation of an alarm system in the tenant's residential unit. The annual fee for this alarm permit or the renewal of this permit shall be the same as the fee for a residential alarm site.

(c) For purposes of enforcing this article against an individual residential unit, the tenant is responsible for false alarm dispatches emitted from the alarm system in the tenant's residential unit.

(Ord. No. 98-02, § 2 (4), 1-27-1998)

Sec. 34-35. Installation in apartment complex furnished by the complex.

(a) If the owner or property manager of an apartment complex provides an alarm system in each residential unit as an amenity, the owner or property manager of the apartment complex shall obtain a master permit from the alarm administrator. The annual fee for this permit and for each renewal of this permit shall be as set forth in appendix B to this Code. All units, whether occupied or not, shall be included in calculating the required fee.

(b) For purposes of assessing fines and enforcing this article, the master alarm permit holder is responsible for payment of fines for false alarm dispatches emitted from the alarm systems in residential units.



Cross reference(s)--Definitions generally, § 1-2.

(c) The owner or property manager of an apartment complex shall obtain a separate alarm permit for any alarm system operated in a nonresidential area of the apartment complex, including but not limited to common tenant areas and office, storage, and equipment areas. An annual fee for such a permit shall be the same as the fee for a residential alarm site.

(Ord. No. 98-02, § 2 (5), 1-27-1998)

Sec. 34-36. Operation and maintenance.

(a) An alarm user shall:

(1) Maintain the premises and the alarm system in a manner that will minimize or eliminate false alarm dispatches; and

(2) Make every reasonable effort to respond or cause a representative to respond to the alarm system's location within one hour when notified by the city to deactivate a malfunctioning alarm system to provide access to the premises or to provide security for the premises, and not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.

(b) An alarm user shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site will sound for no longer than ten minutes after being activated or 15 minutes for systems operating under Underwriters' Laboratories, Inc., standard 365 or 609.

(c) An alarm user shall have a properly licensed alarm business inspect his alarm system after two false alarm dispatches in a one-year period. After three false alarm dispatches the alarm user must have a properly licensed alarm business modify the alarm system to be more false-alarm resistant or provide additional user training as appropriate.

(Ord. No. 98-02, § 2 (7), 1-27-1998)

Sec. 34-37. Operating instructions.

An alarm user shall maintain at each alarm site a set of written operating instructions for each alarm system.

(Ord. No. 98-02, § 2 (10), 1-27-1998)

Sec. 34-38. Automatic dialing telephone alarm requirements.

(a) Any automatic dialing telephone alarm or device installed and operated that dials any city telephone line, other than the designated police department alarm line, is prohibited. No person shall install or cause to be installed or maintain or cause to be maintained any automatic dialing telephone alarm that dials any city telephone line other than the designated police department alarm line.

(b) It is unlawful for any person to allow any automatic alarm, automatic dialing device, or automatic alerting device which causes any city telephone line to be dialed and whose sole purpose is to establish an open telephone line with the specific intent that a conversation between parties not actively speaking into the telephone instrument be



heard by the police department in order to directly access emergency services based on this overheard conversation or lack of conversation.

(Ord. No. 98-02, § 2 (11), 1-27-1998)

Sec. 34-39. Alarm dispatch request.

(a) The officer responding to an alarm dispatch request shall record such information as necessary to permit the alarm administrator to maintain records, including but not limited to the following information:

- (1) Identification of the permit number for the alarm site;
- (2) Identification of the alarm site;
- (3) Arrival time at the alarm site and dispatch received time;
- (4) Date and time of the report;
- (5) Weather conditions;
- (6) Area and/or sub-area of premises involved;
- (7) Name of alarm user's representative on the premises, if any;
- (8) Identification of the responsible alarm business; and/or
- (9) Unable to locate the address.

(b) The responding police officer shall indicate on the dispatch record whether the dispatch was caused by a criminal offense or by an attempted criminal offense or was a false alarm dispatch.

(c) For an assumed false alarm dispatch, the responding police officer shall leave notice at the alarm site that the police department has responded to a false alarm dispatch. The notice shall include the following information:

- (1) The date and time of the police response to the false alarm dispatch;
- (2) The identification number of the responding police officer; and
- (3) A statement urging the alarm user to ensure that the alarm system is properly operated, inspected, and serviced in order to avoid fines.

(d) Alarm businesses which perform monitoring services must maintain for a period of at least one year following a request for police dispatch to an alarm site records relating to the dispatch. Records must include the name, address and phone number of the alarm user; the alarm system zone or point activated; the time of the request for police dispatch; and evidence that an attempt to verify was made to the alarm site prior to the request for police dispatch. The alarm administrator may request copies of such records for individually named alarm users.

(Ord. No. 98-02, § 2 (12), 1-27-1998)

Sec. 34-40. System performance reviews.

If there is reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation and suppresses false alarms, the alarm administrator may require a conference with an alarm user and the alarm business responsible for the repair of the alarm system to review the circumstances of each false alarm.



(Ord. No. 98-02, § 2 (13), 1-27-1998)

Sec. 34-41. False alarm user awareness class.

The alarm administrator shall oversee the creation and implementation of a false alarm user awareness class. The two-hour program shall inform alarm users of the problems created by false alarm dispatches and shall teach alarm users how to operate their alarm systems without generating false alarm dispatches.

(Ord. No. 98-02, § 2 (14), 1-27-1998)

Sec. 34-42. Fines.

(a) An alarm user or the master permit holder for an apartment complex shall be subject to fines, warnings and suspension or revocation of the permit depending on the number of false alarm dispatches emitted from an alarm system within a 12-month period based upon the schedule set forth in appendix B to this Code:

Number of False Alarm Dispatches

Table with 4 columns: 1999, 2000, Action Taken, Fine. Rows show dispatch counts (1, 2, 3, 4-8, 9+) and corresponding actions (written notices, warnings, suspensions, revocations) and fines (\$0.00, \$50.00, \$75.00, \$100.00).

(b) In addition to the fines in subsection (a) of this section, any person operating a nonpermitted alarm system, whether the permit is revoked, suspended or never acquired, will be subject to a citation and assessment of a fine as set out in appendix B to this Code, in addition to any other fines. The alarm administrator may waive this additional fine for a nonpermitted system if the alarm user applies for a permit within ten days after such violation.

(c) An alarm user shall, after the third false alarm dispatch, have the option of attending a false alarm user awareness class in lieu of paying the prescribed fine.

(d) Alarm dispatch requests caused by actual criminal offense or with evidence of a criminal attempt shall not be counted as a false alarm dispatch.

(e) The alarm administrator may reinstate a suspended permit upon receipt of acceptable evidence that the cause has been addressed and appropriate corrective action has been taken as outlined in section 34-117 of this article.

(Ord. No. 98-02, § 2 (15), 1-27-1998)

Sec. 34-43. Appeal from fines.

(a) An alarm user may appeal assessment of a fine to the alarm review board by filing a written request for hearing setting forth the reasons for the appeal within ten days after receipt of the fine. The filing of a request for an appeal hearing with the alarm review board stays the assessment of the fine until the alarm review board makes a final decision.



(b) The alarm review board shall conduct a hearing and consider the evidence by any interested person. The board shall make its decision on the basis of the preponderance of evidence presented at the hearing, including but not limited to evidence that a false alarm dispatch was caused by a defective part that has been repaired or replaced or that an alarm dispatch request was caused by a criminal offense. The board must render a decision within 30 days after the request for an appeal hearing is filed. The board shall affirm, reverse or modify the assessment of the fine. The decision of the board is final as to administrative remedies with the city.

(Ord. No. 98-02, § 2 (16), 1-27-1998)

Sec. 34-44. Liability of city.

The public safety departments shall take every reasonable precaution to ensure that alarm signals and prerecorded alarm messages received by the respective department are given appropriate attention and are acted upon with dispatch. However, the city shall not be liable for any defects in operation of voice tape dialer devices and signal device systems or for any failure or neglect of any person in connection with the installation or operation of equipment, the transmission of alarm signals or prerecorded alarm messages, the relaying of such signals or messages, or the response of such signals or messages.

(Code 1967, § 21/2-13)

Sec. 34-45. Violations.

A person commits a violation if he violates by commission or omission any section of this article that imposes upon him a duty or responsibility, and such person is subjected to a fine as set forth in appendix B to this Code.

(Ord. No. 98-02, § 2 (20), 1-27-1998)

Secs. 34-46- 34-75. Reserved.



DIVISION 2. BUSINESSES

Sec. 34-76. Monitoring procedures.

(a) An alarm business performing monitoring services shall:

- (1) Not request dispatch for police response during the first week after installation of an alarm system, but, rather, use that week to train the alarm user on proper use of the alarm system, unless extenuating circumstances necessitate immediate requests for response as determined by the administrator;
- (2) Report alarm signals by using telephone numbers designated by the alarm administrator;
- (3) Attempt to verify every alarm signal except a duress or holdup alarm activation before requesting a police response to an alarm signal;
- (4) Communicate alarm dispatch requests to the city in a manner and form determined by the alarm administrator;
- (5) Communicate verified cancellations of alarm dispatch requests to the city in a manner and form determined by the alarm administrator; and
- (6) Ensure that all alarm users of alarm systems equipped with a duress alarm are given adequate training as to the proper use of the duress alarm.

(b) The alarm administrator shall:

- (1) Designate a manner, form and telephone numbers for the communication of alarm dispatch requests; and
- (2) Develop procedures to accept verified cancellation of alarm dispatch requests.

(Ord. No. 98-02, § 2 (8), 1-27-1998)

Sec. 34-77. Duties of alarm business.

(a) After 1999, alarm businesses shall not program alarm systems so that they are capable of sending one plus duress alarms. Alarm businesses may continue to report one plus duress alarms received from alarm systems programmed with this feature prior to 1999. However, after 1999, when performing a takeover or conversion, an alarm business must remove the one plus duress alarm capability from the alarm system being taken over or converted.

(b) After 1999, alarm businesses shall not install a device for activating a holdup alarm which is a single action nonrecessed button.

(Ord. No. 98-02, § 2 (9), 1-27-1998)

Secs. 34-78--34-105. Reserved.



DIVISION 3. USER'S PERMIT

Sec. 34-106. Required.

No alarm user shall operate or cause to be operated an alarm system at his alarm site without a valid alarm permit issued by the alarm administrator. A separate permit is required for each alarm site. A special classification shall be required for an alarm system equipped for a duress alarm.

(Ord. No. 98-02, § 2 (3(A)), 1-27-1998)

Sec. 34-107. Fees.

Fees shall be as provided in appendix B to this Code. No refund of a permit or permit renewal fee will be made. The initial permit fee must be submitted to the alarm administrator within 15 days after alarm installation or alarm takeover.

(Ord. No. 98-02, § 2 (3(B)), 1-27-1998)

Sec. 34-108. Issuance.

Upon receipt of a completed application form for an alarm system permit and the permit fee, the alarm administrator shall issue an alarm permit to an applicant unless the applicant has:

- (1) Failed to pay a fine assessed under section 34-42; or
- (2) Had an alarm permit for the alarm site suspended or revoked, and the violation causing the suspension or revocation has not been corrected.

(Ord. No. 98-02, § 2 (3(C)), 1-27-1998)

Sec. 34-109. Application.

Each application for a permit required under this division must include the following information:

- (1) The name, address, and telephone numbers 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 division;
- (2) The classification of the alarm site as either residential, commercial, or apartment;
- (3) For each alarm system located at the alarm site, the purpose of the alarm system, i.e., burglary, holdup, duress, or other;
- (4) A signed certification from the alarm user and the alarm business stating the following:
 - a. The date of installation, conversion, or takeover of the alarm system;



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- b. The name, address, and phone number of the alarm business performing the alarm system installation, conversion, or alarm system takeover and responsible for providing repair service to the alarm system;
 - c. The name, address, and phone number of the alarm business monitoring the alarm system, if different from the installing alarm business;
 - d. A set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, has been left with the applicant; and
 - e. The alarm business has trained the applicant in proper use of the alarm system, including instructions on how to avoid false alarms;
- (5) Classification of the alarm site as being equipped or non-equipped for duress alarm; and
- (6) A list of three persons, including their addresses and telephone numbers, who can be contacted and will respond to the premises in an emergency or to reset or deactivate the alarm system or who could contact the alarm user if the alarm user is not at the protected premises.

(Ord. No. 98-02, § 2 (3(D)), 1-27-1998)



Sec. 34-110. Denial.

Any false statement of a material matter made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit.

(Ord. No. 98-02, § 2 (3(E)), 1-27-1998)

Sec. 34-111. Transferability.

An alarm permit cannot be transferred to another person. An alarm user shall inform the alarm administrator of any change that alters any information listed on the permit application within five business days.

(Ord. No. 98-02, § 2 (3(F)), 1-27-1998)

Sec. 34-112. Payment of delinquent fees.

All fees owed by an applicant for the permit required by this division must be paid before a permit may be issued or renewed.

(Ord. No. 98-02, § 2 (3(G)), 1-27-1998)

Sec. 34-113. Confidentiality.

Information contained in the application for a permit required by this division shall be held in confidence by all city employees or representatives with access to such information.

(Ord. No. 98-02, § 2 (3(H)), 1-27-1998)

Sec. 34-114. Duration and renewal.

An alarm permit shall expire one year from the date of issuance and must be renewed annually by submitting an updated application and a permit renewal fee to the alarm administrator. The alarm administrator shall notify each alarm user of the need to renew 30 days prior to the expiration of the permit. It is the responsibility of the alarm user to submit an application prior to the permit expiration date. Failure to renew will be classified as use of a nonpermitted alarm system, and citations and penalties shall be assessed without waiver.

(Ord. No. 98-02, § 2 (6), 1-27-1998)



Sec. 34-115. Revocation or suspension.

(a) In addition to imposition of a fine pursuant to section 34-42, the alarm administrator may suspend or revoke an alarm permit if it is determined that:

- (1) There is a false statement of a material matter in the application for a permit;
- (2) The permit holder has failed to make payment within 30 days of a fee assessed under section 34-107; or
- (3) A person commits an offense if he operates an alarm system during the period in which his alarm permit is suspended or revoked.

(b) Unless there is separate indication that there is a crime in progress, the chief may refuse police response to an alarm dispatch request at an alarm site for which the alarm permit is revoked.

(c) If the alarm permit is reinstated pursuant to section 34-117, the alarm administrator may revoke the alarm permit if it is determined that two subsequent false alarm dispatches occur within 60 days after the reinstatement date.

(Ord. No. 98-02, § 2 (17), 1-27-1998)

Sec. 34-116. Appeal from denial, suspension or revocation.

(a) If the alarm administrator denies the issuance or renewal of an alarm permit or suspends or revokes an alarm permit, he shall send written notice of his action and a statement of the right to an appeal, by certified mail, return receipt requested, to both the applicant or alarm user and the alarm business. The applicant or alarm user may appeal the decision of the alarm administrator to the chief by filing a written request for a review setting forth the reasons for the appeal within 20 days after receipt of the notice from the alarm administrator. An alarm business may submit the request for review on behalf of an alarm user. Filing of a request for appeal shall stay the action by the alarm administrator suspending or revoking a permit until the chief has completed his review. If a request for appeal is not made within a 20-day period, the action of the chief is final.

(b) Alarm users shall be entitled to a hearing before the alarm review board, if requested within 20 days of receipt of notice of a sustained denial or revocation of permit by the chief. An alarm business may submit a request for hearing on behalf of an alarm user.

(c) The alarm review board shall conduct a formal hearing and consider the evidence by any interested person. The board shall make its decision on the basis of a preponderance of the evidence presented at the hearing, including but not limited to certification that the alarm user has been retrained, that a defective part has been repaired or replaced, or that the cause of the false alarm has been otherwise determined and corrected. The board must render a written decision within 30 days after the request for an appeal hearing is filed. The board shall affirm, reverse, or modify the action of the chief. The decision of the board is final as to the administrative remedies with the city.

(Ord. No. 98-02, § 2 (18), 1-27-1998)

Sec. 34-117. Reinstatement after revocation.

A person whose alarm permit has been revoked may be issued a new permit if the person:



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- (1) Submits an updated application and pays a reinstatement fee as set forth in appendix B to this Code;
- (2) Pays or otherwise resolves all citations and fines; and
- (3) Submits a certification from an alarm business that complies with the requirements of this article, stating that the alarm system has been inspected and repaired, if necessary, by the alarm business.

(Ord. No. 98-02, § 2 (19), 1-27-1998)

Secs. 34-118--34-145. Reserved.