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signal, audible, visual or both, generated by an alarm system indicating an illegal entry or other activity to which police or fire personnel are expected to respond to on an emergency basis. It does not include a local alarm system.

Alarm system means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring the urgent attention and to which police or fire personnel are expected to respond.

Alarm user means any person who owns, controls, or occupies premises where an operating alarm system is located.

Answering service means a telephone answering business providing among its services the service of receiving on a continuous basis, through trained employees, emergency signals from alarm systems and thereafter immediately relaying the message by live voice to the police communication center or the fire department.

Central station means a location where operators are in attendance at all times to monitor alarm systems, record alarm signals, and to submit alarm dispatch request to the police communications center or to the fire department.

Central station protective system means a system or group of systems in which the operations of alarm systems are transmitted to, recorded in, maintained and supervised from a central station having operators in attendance at all times.

False alarm means an alarm signal eliciting an urgent response by police or fire personnel when a situation requiring an urgent response does not in fact exist.

- (1) A false alarm includes:
  - a. Negligently or accidentally activated signals;
  - b. Signals that are the result of mechanical or electronic failure, malfunction, improper installation, improper adjustment, or improper maintenance; and
  - c. Signals that are purposely activated in a nonemergency situation, except for testing.

(2) False alarm does not include signals activated by:

- b. Vandalism causing physical damage to the premises;
- d. Attempted entry of a location causing visible, physical or other evidence of damage to the location;
- e. The test of an alarm system by a licensed alarm business agent who is servicing, repairing or installing the alarm and who has properly notified the alarm coordinator that the testing will occur, when such testing does not result in the alarm being activated for an uninterrupted period exceeding 60 seconds; or
- f. Other extraordinary circumstances not reasonably subject to control by the alarm business or alarm user.

Fire chief means the chief of the fire department of the city or his designated representative.

Fire department means the city fire department.

Local alarm system means an alarm system that causes an audible or visual signaling device to be activated only on the premises where the system is installed or on a motor vehicle and which is intended to be heard or seen by others outside of the protected premises or vehicle.

Notice means written notice given by United States mail, postage

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prepaid.

Police chief means the chief of police of the city or his designated representative.

Police communication center means the city police department communication center.

Police department means the city police department.

(Code 1988, § 19-462; Ord. No. 65971, § 2, 12-22-1994; Ord. No. 66176, § 1, 12-5-1996)

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

Sec. 19-184. Applicability; exceptions.

(a) Applicability. This article applies to all alarm businesses, alarm users, and alarm systems operating within the city, including governmental entities, except as provided in this section.

(b) Exceptions.

(1) This article does not apply to the city and any facilities owned and operated by it. But alarm systems operating on property owned by the city and leased to another are subject to this article.

(2) This article does not apply to proprietary alarm systems. Proprietary alarm systems are those whose alarm signals are not intended to elicit a response from the police department or fire department. Proprietary alarm systems include alarm systems connected to a control center that elicit a response by private security guards under the control of the proprietor of the premises. If a proprietary system includes a signal line connected directly or by means of an automatic dialing device to the police communications center, the fire department, a central station protective system, or an answering service, it becomes an alarm system and subject to this article.

(3) Alarm users of local alarm systems are subject to this article only where specifically mentioned. (Code 1988, § 19-463; Ord. No. 65971, § 3, 12-22-1994)

Sec. 19-185. Permit required.

(a) Every alarm user must obtain a permit to operate an alarm system within ten days after its installation. Application must be made to the alarm coordinator.

(b) Every alarm user must pay a registration fee in an amount set by the County Administrator

(c) If an alarm user does not apply for or renew a permit within 30 days of the dates required by this article, a fee will be charged, the amount of which will be set by the County Administrator.

(d) Alarm permits are valid for a calendar year. All alarm users must renew alarm permits between January 1 and January 31 of each year. Failure to renew is considered a failure to have a valid permit as required by this article.

(e) Alarm permits are nontransferable. Alarm users who take over control of an existing alarm system previously controlled by another alarm user must obtain a new permit.

(f) Each permit must be physically upon the premises using the alarm system and available for inspection by the police department or the fire department.

(g) Each permit shall contain the name of the current property owner or their representative and shall list a 24-hour emergency contact.

(h) A permit must be obtained for each facility with an alarm system, except only one permit is required

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for multiple structures at a single location with a single alarm system. If tenants in a multitenant building or complex have individual alarm systems, each tenant must obtain a permit.

(i) No permit will be issued or renewed for any alarm user who has any outstanding false alarm fees until such fees are paid.

(Code 1988, § 19-464; Ord. No. 65971, § 4, 12-22-1994; Ord. No. 66176, § 2, 12-5-1996)

Sec. 19-186. Unlawful acts; regulations.

(a) It shall be unlawful for any person to operate an alarm system without having first obtained a permit or without having renewed the permit as required by this article.

(b) It is unlawful for any alarm user to have more than three false alarms in a calendar year after the grace period allowed by this article.

(c) It is unlawful for any alarm system to emit a sound similar to that of an emergency vehicle siren or a civil defense warning system.

(d) Local alarm systems or any alarm system which can be heard outside the alarm user's premises must be equipped to automatically discontinue emitting an audible sound within five minutes of activation for personal residence and motor vehicles and within 15 minutes of activation for commercial buildings.

(e) Except for testing or necessary maintenance, it is unlawful for any person to activate any alarm system unless an actual emergency exists.

(f) It is unlawful for any person to make an alarm dispatch request if the person knows that such activation was caused by a malfunction of the alarm system.

(g) It is unlawful for any person to program an alarm system to automatically dial the city's 911 emergency telephone service line or to operate an alarm system that is automatically programmed to dial 911, except as permitted in section 22-383 or by other law or ordinance.

(h) It is unlawful for an alarm user to have an alarm system on any premises without providing address numbers, as required by city ordinance.

(i) It is unlawful for an alarm user to fail to pay any false alarm fee prescribed by this article.

(j) The central station or answering service shall cancel any alarm dispatch request by notifying the police and/or fire communication center. If there is no central station or answering service monitoring the alarm, alarm cancellations will not be accepted.

(k) If a central station or answering service cancels an alarm dispatch request before police or fire personnel have been dispatched, such false alarm will not be counted for purposes of determining chargeable false alarms.

(l) Central stations and answering services must make two attempts to verify all non-residential alarm signals by telephone call to the alarm user before calling for a police department response, except if the alarm signal indicates a hostage or duress situation. Verification requires contact with the alarm user and an affirmative request from the alarm user for a police response. Fire alarms need not be verified.

(m) Central stations and answering service must report alarm signals to telephone numbers designated by the alarm coordinator, police chief,

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or fire chief.

(n) An alarm business, alarm user, employee of a central station protective system or employee of an answering service charged with the responsibility of relaying a live voice request for police or fire response upon the activation of an alarm system shall give the following information to the police and/or fire communications center:

- (1) Address of alarmed location;
- (2) Type of alarm system that has been activated;
- (3) Name of commercial business or resident;
- (4) Specific location protected by the activated alarm;
- (5) Name of the alarm business making request, if applicable;
- (6) Name of person making the request; and
- (7) A phone number where the requesting party or their designated representative can be contacted.

(o) The alarm user must give written notice to the alarm coordinator within ten days whenever a change occurs in the registration information on file with the alarm coordinator.

(p) If an apartment complex provides alarm systems for its tenants, the owner or manager of the complex may either obtain one permit for the complex or may require each tenant to obtain a permit. The permit holder is responsible for payment of any false alarm fees incurred as a result of the operation of any alarm systems covered by the permit.

(q) If the alarm coordinator has 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 coordinator, police chief, or fire chief may (i) require a conference with an alarm user and the alarm business responsible for monitoring or repair of the alarm system to review the circumstances of each false alarm or (ii) suspend response to certain intrusion alarms in accordance with written police department policy.

(r) The police chief or the fire chief may establish rules and regulations, subject to the provisions of this article, as he deems necessary for the implementation and application of this article. Violation of any rule and regulation is a violation of this article.

(s) It is unlawful for any person to violate any of the provisions of this article.

(Code 1988, § 19-465; Ord. No. 65971, § 5, 12-22-1994)

Sec. 19-187. Excessive false alarms; fees; grace period.

(a) Residential alarms and alarms on not-for-profit facilities. Any alarm user whose alarm system, maintained on a residence or on a facility owned and operated by an instrumentality of the United States, by a political subdivision of the state, by a church, or by an organization qualifying under the Internal Revenue Code of 1954, 26 USC 501(c)(3), as it may be amended, has recorded more than three false alarms within a calendar year will be assessed false alarm fees in an amount set by the County Administrator.

(b) Commercial and industrial alarms. Except as provided in subsections (a) of this section, any alarm user whose alarm system has recorded more than three false alarms within a calendar year will be assessed false alarm fees in an amount set by the County Admin-

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istrator.

(d) Payment. The alarm user must pay the false alarm fee to the unified government director of revenue or to the alarm coordinator within 30 days after the date of the notice to pay.

(e) Additional penalties. Nothing contained in this section prohibits prosecution in municipal court for violations of this article and assessment of all other penalties provided by law.

(f) Outstanding fee; prosecution. If any false alarm fee remains unpaid 45 days after the date of the fee notice, an alarm user may be prosecuted in municipal court for violation of this article.

(Code 1988, § 19-466; Ord. No. 65971, § 6, 12-22-1994; 66176, § 3, 12-5-1996)

Sec. 19-188. False alarm determination; notice; review.

(a) The alarm coordinator is responsible for determining which alarms constitute false alarms. A record of all false alarms will be maintained by the alarm coordinator.

(b) After the third false alarm within a calendar year, the alarm coordinator will give written notice to the alarm user stating that additional false alarms in a calendar year will require the payment of a false alarm fee under this article. After each false alarm over three within a calendar year, the alarm coordinator will notify the alarm user of such occurrence and the amount of the false alarm fee due. Failure to receive any notice does not relieve the alarm user of any responsibilities under this article.

(c) An alarm user may request a review by the police chief or fire chief of a false alarm determination. The request for review must be submitted in writing and received within ten days of the date of the false alarm notice. The payment of a false alarm fee, if any, will be postponed pending the alarm review.

(d) The police chief or fire chief will send the alarm user a written review response within 20 days of the date the request for review was received.

(Code 1988, § 19-467; Ord. No. 65971, § 7, 12-22-1994; Ord. No. 66176, § 4, 12-5-1996)

Sec. 19-189. Appeals.

(a) Any alarm user who has been assessed a false alarm fee may appeal the assessment to the county administrator within ten days of the date of the fee notice or within ten days of the police chief or fire chief's decision, if a review was requested.

(b) The county administrator will appoint a hearing officer to hear the appeal.

(c) The hearing officer will send written notice of the time and place of the hearing to the alarm user and to the alarm coordinator at least ten days before the date set for the hearing.

(d) At the hearing, the alarm user and the alarm coordinator may present written and oral evidence and will be subject to cross examination.

(e) Within 20 days of the hearing, the hearing officer must issue a written decision upholding or setting aside the alarm coordinator's false alarm determination.

(f) If the hearing officer upholds the false alarm determination, the false alarm fee is due. If the hearing officer sets aside the false alarm determination, the false alarm will be removed from the alarm user's record.

(g) The filing of a request for appeal postpones the assessment until the hearing officer's decision.