

ovf - false alarms

CHAPTER 88 - Nuisances

Troy Police Department

7/30/97

16. FALSE SECURITY OR MEDICAL ALARM ORDINANCE

I - PURPOSE

The purpose of this ordinance is to provide a permit and registration system with appropriate regulations to facilitate the reduction of false alarms, render police response and administration, and to advance the disciplined use of alarm systems by the alarm user.

II - DEFINITIONS

- A. "Alarm User" is defined as the owner, occupant, or person in control of premises where a security or medical alarm is maintained within the City.
- B. "Alarm Provider" is any person, as defined in Chapter 1 Section 1.8(1), whose business, purpose, or function is to install, service, or monitor security or medical alarms.
- C. "Alarm System" is defined as a device or assembly of equipment and devices arranged to signal the presence of a condition such as (1) a hold-up, (2) a burglary, home or business invasion, or (3) a medical emergency which is intended to summons an emergency police response and/or emergency medical service. An Alarm System connected to equipment that alerts an alarm system at a premise is included within this definition. In this section, the term "Alarm System" shall include but is not limited to the following: "automatic hold-up alarm system", "burglar alarm system", "intrusion alarm system", "hold-up alarm system", "panic alarm system", and "personal emergency response system". Excluded from this definition and regulation from this Section are persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located, of an attempted, unauthorized intrusion or hold-up attempt. If such a system, however, employs an audible signal emitting sounds or flashing lights or beacon designed to signal persons outside of the premises, such a system shall be within the definition of "Alarm System" and shall be regulated by this section.
- D. "False Alarm" shall be defined as any alarm condition which is reported to the Police Department, not resulting from criminal activity, attempted criminal activity, and/or a verified medical emergency for which the alarm was intended.

III - PERMIT REQUIRED

- A. It is unlawful for any person, firm, partnership, corporation or other legal entity to use, own or lease an alarm system or to be in control of a premises wherein an alarm system is operated or maintained without having first obtained a permit as provided in this chapter.
- B. It is unlawful for any person, firm, partnership, corporation or other legal entity to use, own or lease an alarm system or to be in control of a premises wherein an alarm system is operated or maintained when a permit has been revoked.
- C. A permit must be obtained for each separately addressed operating location.

D. All permits issued are valid for one year unless revoked.

E. Permit Application:

1. Each applicant for a permit to use, own or lease an alarm system shall file a written application with the City Police Department containing:
 - a. The full legal name, address, and telephone number of the applicant.
 - b. The name, address and telephone number of the premises where the alarm system is located.
 - c. The type of alarm system at the protected premises.
 - d. A list of three persons, including their addresses and telephone numbers, who can be contacted and will respond to the premises in the event of 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.
 - e. The name(s), address, telephone number, and state license number of the person or company that installed the alarm system.
 - f. The name, address and telephone number of the person or company that is responsible for the maintenance and repair of the alarm system, if applicable.
 - g. The phone number and address of the monitoring station.
2. Incomplete applications shall be returned to the applicant. A permit will not be issued until the completed application is received and approval for the permit has been granted by the Police Department.
3. An application for an alarm user permit shall be denied if:
 - a. The applicant has failed to pay false alarm fees required by this ordinance for a different protected premises under the applicant's ownership or control.
 - b. The applicant has failed to comply with any provisions of this ordinance or other ordinances of the City.
4. The City's Police Department shall be responsible for processing and issuing alarm user permits.

IV - ALARM PERMIT REGISTRATION

- A. Prior to an installation of an alarm system, the alarm user shall obtain a permit and register their alarm with the City of Troy Police Department.
- B. The alarm user shall pay an annual permit renewal registration fee of ten dollars (\$10.00) for each type of alarm control panel in use.
 1. Burglary
 2. Holdup
 3. Medical Emergency

- 4. Panic / Distress
- 5. Fire

- C. All alarm providers shall advise all alarm users with whom they do business that the alarm user must obtain an alarm permit and register their alarm with the Troy Police Department.
- D. By January 30th of each year, all alarm users shall renew their alarm user permit and registration with the Troy Police Department.
- E. If the first registration is within six months of the annual renewal date the fee shall apply to the present year as well as the next year.

V - ALARM PROVIDER REGISTRATION AND LICENSING

- A. The alarm provider company contracted to install and/or maintain an alarm must possess a State license and be registered with the City of Troy as an alarm system contractor. The state licensing requirements do not apply to alarms installed by the owner or occupant of the residence in his residence. Alarm providers who have an inordinate number of system revocations may have their company removed from the City of Troy alarm installer registration role.

VI - ALARM SHUT-OFF DEVICES

- A. Alarm Systems equipped with audible signals, e.g. bells, horns, sirens, shall be fitted with a shut-off device that automatically silences the audible signal within ten minutes of activation.
- B. Alarm Systems equipped with audible signals that are not fitted with a shut-off device shall be subject to deactivation by representatives of the Police Department. The Alarm User shall be subject to a \$100 shut-off fee, in addition to any false alarm fees, which may be associated with the summons of an emergency police or medical response.

VII - ALARM INSTALLATION

- A. Upon completion of an alarm installation, the Alarm Provider shall thoroughly instruct the Alarm User in the proper operation, testing, and maintenance of the system.
- B. Use only dual action holdup devices and eliminate using "1 +" duress keypad coding and money clips.
- C. Implement procedures to prevent or cancel exit/entry false alarms. (Extend delay times, enable delays before dialing, enable panel cancel code, etc.)
- D. Alarm systems shall contain a battery back up system in case of a power surge, loss of power due to storms or cut wires.
- E. Alarm users and alarm providers shall assign access codes to premise users that are unique to the individual such as driver's license or social security numbers.

- F. In commercial alarm application, the alarm user shall locate a phone designated for alarm verification adjacent to the alarm code access panel.

VIII - ALARM REPORTING

- A. Alarm Providers shall attempt to verify alarm signal, except a duress, hold up or medical emergency alarm.
- B. When reporting alarms to the Police, Fire, Emergency Medical Dispatch Center, the Alarm Providers shall indicate if verification was made.
- C. The Alarm Provider shall notify the Dispatch Center of all verified alarm cancellations. No false alarm fees shall be attached to cancelled calls.

IX - FALSE ALARM PROHIBITED

Any person who knowingly or willfully initiates a false alarm shall be guilty of a misdemeanor.

X - ALARM ACTIVATIONS AT A PREMISES WHERE AN ALARM USER PERMIT HAS NOT BEEN ISSUED

Any Alarm User who does not have a valid registered alarm or who has not obtained a permit will be assessed a fine in the amount of \$100 for each notice to the Police Department of an alarm activation at the protected premises.

XI - REPORTING FALSE ALARMS - FINES AND PENALTIES

- A. The City of Troy Police Department Dispatch Center shall provide an answering point for the reporting of alarm signals requesting police, fire and emergency medical response.
- B. After two false alarms in any calendar year, the Alarm User reporting a false alarm shall be charged a fine of fifty dollars (\$50.00) for each false summons for emergency response. No fine shall be assessed for an alarm which was activated by criminal activity, attempted criminal activity, or a verified medical emergency for which the alarm was intended.
- C. All fines must be paid to the City within thirty (30) days from the date of invoice requesting payment of fine(s).

XII - FALSE ALARM FINE(S) APPEAL PROCESS

- A. The Police Department shall notify the Alarm User, in writing, of each instance wherein the Police Department has recorded a false alarm. The Alarm User shall have the opportunity within fourteen (14) days from the date of mailing or personal delivery to submit a report for the purpose of showing cause as to whether circumstances exist to warrant voiding the false alarm recordation. The Police Department shall review the Alarm User's report and/or meet with the Alarm User and issue a written finding to the Alarm User as to whether or not the false alarm record will be voided.

- B. Documentation provided to the Police Department of maintenance or repair to the Alarm System after the occurrence of a false alarm may be considered in determining whether or not to assess the false alarm fee. No more than two false alarms per calendar year shall be waived due to malfunction, maintenance, equipment failure, or user error.
- C. Severe weather, power outages, transmission line malfunctions, malicious acts of person(s) not under the control of the Alarm User, or any other cause clearly beyond the control of the Alarm User may be considered in determining whether or not punitive action will be taken against the Alarm User as provided for in this ordinance.

XIII - PERMIT REVOCATION

- A. Any alarmed premises which has four (4) or more false alarms within a calendar year shall subject the Alarm User to permit revocation as provided herein.
- B. If City records show four (4) or more false alarms within a calendar year for any alarmed premises:
 - 1. The Police Department shall notify the Alarm User by certified mail or personal delivery, that their alarm permit shall be revoked thirty (30) days from date of mailing or personal delivery. The Alarm user shall have fourteen (14) days from the date of mailing or personal delivery to submit a written report to the Police Department describing actions taken or to be taken to identify and eliminate the cause of the false alarms, and to request that their Alarm User's Permit be reinstated.
 - 2. If the Alarm User submits a report requesting reinstatement of their Alarm User's Permit, the Police Department shall determine if the action taken or to be taken will substantially reduce the likelihood of false alarms; if he determines that the action will substantially reduce the likelihood of false alarms, he shall notify the Alarm User that the request to reinstate the Alarm User's Permit has been approved.
 - 3. If the Alarm User's permit is reinstated, and the Police Department responds to a subsequent false alarm activation in the same calendar year at the protected premises, the Police Department shall proceed with the permit revocation process again as described in this Section. The Alarm User shall also be assessed a fine in the amount of \$100 for each subsequent false alarm through the remainder of the calendar year.
 - 4. If the Police Department determines that the action taken, or to be taken, will not substantially reduce the likelihood of false alarms, the request for reinstatement shall be denied. The Police Department shall give notice by certified mail or personal delivery, to the user that the permit will be revoked without further notice.

C. Any Alarm User permittee who fails to pay any fines or charges provided for under this chapter within thirty (30) days from the date of the invoice requesting payment of same shall have the subject Alarm User Permit revoked. Any such Alarm User Permit shall not be reinstated until all the unpaid fines and fees are paid in full.