

1 “Alarm User” means any person any other entity owning, leasing or operating an alarm system, or
2 on whose property an alarm system is maintained for the protection of such property.

3 “Cancel, Cancelled or Cancellation” means the process where police response is terminated to an
4 alarm site before police personnel arrive at the alarm location.

5 “Conversion” means the transaction or process by which one alarm company begins the servicing
6 or monitoring of a previously unmonitored alarm system or an alarm system that was previously
7 serviced or monitored by another alarm company.

8 “Dual-Activation Device” means a device which requires that two buttons be depressed together
9 to activate an alarm signal for a robbery in progress.

10 “False Alarm” means the activation of an alarm system when, upon inspection by the city, evidence
11 indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in
12 or at the alarm location which would have activated a properly functioning alarm system.
13 Notwithstanding the foregoing, a false alarm shall neither include an alarm activated by unusually
14 violent conditions of nature nor an alarm which is cancelled before police personnel respond to
15 the alarm location. Multiple alarms caused by a single technical malfunction in single alarm system
16 for a period up to 12 hours shall constitute only one false alarm. Each 12-hour period shall
17 constitute a new violation.

18 “Panic Alarm” means an audible alarm signal generated by the manual activation of a device
19 intended to signal a life-threatening or emergency situation, requiring an officer’s response.

20 “Permit Year” means a 12-month period beginning on the day and month on which an alarm permit
21 is issued.

22 “Responsible Party” means a person accountable for appearing at the alarm location upon request,
23 who has access to the alarm location and the code to the alarm system.

24 “Robbery Alarm” means a silent alarm signal generated by the manual activation of a device
25 intended to signal a robbery in progress.

“Runaway Alarm” means an alarm system that produces repeated alarm signals that do not appear
to be caused by separate human action.

“Verify” means an attempt by the alarm company to contact the alarm location or alarm user by
telephone or other electronic means, whether or not actual contact with a person is made, to attempt
to determine whether an alarm signal is valid, before requesting police dispatch.

4-16-3. - Alarm Permit Required.

- (a) No alarm user shall use an alarm system, whether the system is monitored or not,
without first obtaining a permit for such alarm system from the city manager. Each
alarm permit shall be assigned a unique permit number and shall be specific to the
alarm location. No alarm user shall use the alarm system in a manner that violates an
approved alarm permit.

- 1 (b) Upon transfer of ownership of the property at which an alarm system is maintained, the
2 new owner shall either file an application for an alarm permit within thirty (30) days of
obtaining possession of the property or cease operating the alarm system.
- 3 (c) Any alarm system which was installed before the effective date of this ordinance must
4 be registered by the alarm user within ninety (90) days after that date.

5 **4-16-4. - Duties of the Alarm User.**

6 No alarm user shall fail to:

- 7 (a) Maintain the alarm system and the premises protected by the alarm in a manner that
will not generate false alarms;
- 8 (b) Provide a responsible party to respond to the alarm location within 30 minutes when
9 notified by the city;
- 10 (c) Use reasonable care to ensure that an alarm is only activated for the occurrence of an
event needing police response;
- 11 (d) Inform the alarm administrator of changes in contact information for responsible parties
12 or changes in ownership of the business or residence where the alarm system is located;
and,
- 13 (e) Use reasonable care to prevent runaway alarms.

14 **4-16-5. - Duties of the Alarm Company.**

- 15 (a) No alarm company shall fail to provide a list of existing names and addresses of alarm
16 users in the city to the alarm administrator within thirty (30) days after being notified
in writing from the alarm administrator.
- 17 (b) No alarm company that installs an alarm system on premises located within the city
18 shall fail to notify the alarm administrator within ten (10) days after the date of
installation that an alarm system has been installed and provide the name and address
19 of the alarm user.
- 20 (c) No alarm company that purchases any alarm system account from another person shall
21 fail to notify the alarm administrator of such purchase and shall provide the alarm
administrator a complete list of the acquired customers within thirty (30) days of
22 purchase. This information shall include the alarm user name; alarm site address; and
alarm permit number.
- 23 (d) No alarm company shall fail to provide the alarm administrator with a complete list of
24 active customer names; the alarm locations; and the alarm permit numbers on or before
the first of January of each year.
- 25 (e) No alarm company shall fail to:

- 1 (1) Upon request by the city, provide the name, address, and telephone number of an
2 alarm user or a designee; and
- 3 (2) Upon the activation of an alarm, contact a responsible party to respond to the
4 alarm premises.
- 5 (f) No alarm company shall fail to provide instructions explaining the proper operation of
6 the alarm system, including prevention of false alarms, to the alarm user prior to
7 activation of an alarm system.
- 8 (g) No alarm company shall fail to provide the alarm user with information on how to
9 obtain an alarm permit prior to the installation of the alarm system.
- 10 (h) Upon an activation of an alarm, no alarm company performing alarm monitoring
11 services shall fail to:
 - 12 (1) Utilize enhanced call verification to verify the need for police response by making
13 at least two attempts to reach a responsible party by calling at least two different
14 telephone numbers to determine whether an alarm signal is valid before
15 requesting police response. Call verification is not required for a panic alarm;
16 robbery alarm; or a crime-in-progress alarm which has been verified by video or
17 audible means.
 - 18 (2) Provide alarm permit number, responsible party name and phone number to the
19 city manager or designee.
 - 20 (3) Communicate any and all available information about the location and nature of
21 the alarm.
 - 22 (4) Communicate a cancellation to the police department as soon as possible
23 following a determination that police response is unnecessary.
 - 24 (5) Keep a record of the date and time of each notification and activation of an alarm
25 system is received and the date, time and method by which the responsible party
was notified. Such records shall be retained for 12 months and be released to the
city manager upon request. If released to the city manager, the record shall be
considered a trade secret of the alarm company and not a public record.
- (i) No alarm salesperson, alarm service person or alarm installer shall activate an alarm
signal that results in a false alarm.
- (j) No alarm installation companies shall fail to install only dual-activation devices for
robbery alarm devices on all new and upgraded alarms.

4-16-6. - Enforcement Provisions.

If the city manager finds a violation of any provision of this chapter, the manager, after notice and an opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-

1 Judicial Hearings,” B.R.C. 1981, the city manager may impose a civil penalty according to the
2 following schedule:

3 (a) Activation of a false alarm within a twelve month period:

4 For the second violation, \$100;

5 For the third violation, \$200;

6 For the fourth violation, \$300; and

7 For the fifth and subsequent violation \$450.

8 (b) Other violations of this Chapter, \$100.

9 (c) The city manager may offer an alarm user awareness class. If offered, the class will
10 provide information to alarm users about the problems created by false alarms and
11 provide instruction on how to help reduce false alarms. In the city’s discretion, an alarm
12 user may be provided the option of attending a class in lieu of paying one assessed fine,
13 not to exceed \$100.00 in one twelve (12) month period.

14 (d) The city manager’s authority under this section is in addition to any other authority the
15 city has to enforce this chapter, including but not limited to Section 5-2-4, “General
16 Penalties,” B.R.C. 1981, and election of one remedy by the manager shall not preclude
17 any other remedy.

18 **4-16-7. - Suspension of Alarm Permit and Police Response.**

19 (a) An alarm permit and police response to alarms, excluding robbery and panic alarms,
20 may be suspended after a notice of suspension is sent by either first class mail or email
21 to the alarm user’s and alarm company’s addresses located on the permit stating the
22 amount due and the opportunity for a hearing if:

23 (1) The alarm user fails to make payment of any civil penalty assessed under this
24 ordinance within 30 (thirty) days from the date of the invoice; or

25 (2) The alarm user fails to have a current permit; or

(3) An alarm site has accumulated five (5) false alarm responses in a twelve (12)
month period.

(b) Police response to an alarm site will be reinstated as soon as practical, after receiving
notice of reinstatement from the alarm administrator.

(c) If an alarm permit is reinstated after suspension, the city may again suspend the alarm
permit if two false alarms occur within 60 (sixty) days after the reinstatement date.

(d) Police response will be reinstated upon submittal of the following to the alarm
administrator:

(1) Payment of reinstatement fee;

1 (2) A written statement describing how false alarms will be prevented; and

2 (3) A written statement from an alarm company that the alarm has been inspected or
3 repaired.

4 Section 2. 4-20-16, B.R.C. 1981, is amended to read:

5 **4-20-8. - Police Alarm Permit Fees.**


6 (a) An applicant for an alarm permit shall pay an annual fee to be determined by the city
7 manager.

8 (b) An alarm user shall pay a \$25 reinstatement fee to reinstate a suspended alarm permit.


9 Section 3. This ordinance is necessary to protect the public health, safety, and welfare of
10 the residents of the city, and covers matters of local concern.

11 Section 4. The city council deems it appropriate that this ordinance be published by title
12 only and orders that copies of this ordinance be made available in the office of the city clerk for
13 public inspection and acquisition.

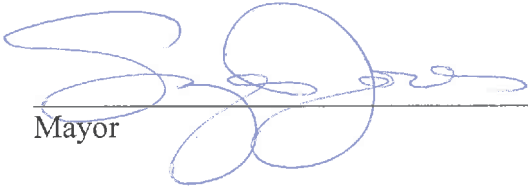
14 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
15 TITLE ONLY this 21st day of June, 2016.

16 
17 _____
18 Mayor


18 Attest:

19 
20 _____
21 City Clerk

1 READ ON SECOND READING, AMENDED AND ORDERED PUBLISHED BY
2 TITLE ONLY this 19th day of July, 2016.

3
4 
5 _____
Mayor

6 Attest:

7 
8 _____
City Clerk

9 READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED
10 BY TITLE ONLY this 16th day of August, 2016.

11
12 
13 _____
Mayor

14 Attest:

15 
16 _____
City Clerk