



# CITY OF OWENS CROSS ROADS ORDINANCE NO. 23-003

## ORDINANCE FOR ALARM PERMITS AND REGULATIONS FOR RESIDENTIAL AND COMMERCIAL BUILDINGS

BE IT ORDAINED BY THE CITY COUNCIL OF OWENS CROSS ROADS, ALABAMA AS FOLLOWS:

For the purposes of this ordinance, the following terms shall have the meanings herein ascribed to them:

**Alarm or Alarm System:** a device or series of devices, including, but not limited to, hard-wired and wireless systems, that transmit or relay a local audible, visual or electronic signal intended to indicate an alarm condition and summon an emergency response, or that would reasonably be monitored to summon police/fire/medical personnel services. Alarm system does not include:

- An alarm installed on a vehicle or boat unless the vehicle is permanently located at an alarm site;
- An environmental alarm designed to alert only the inhabitants of a location that does not have an external local alarm or contact the owner or service personnel of a location;
- A personal medical alert device unless it communicates directly through an alarm system or monitoring station;
- An alarm that is portable or a temporary self-contained unit, is not permanently affixed or electrically connected to the property, does not have a sound or sight signal that can be heard or seen from the exterior, and is designed only to alert the inhabitants within; or

**Alarm business:** the business, by an individual, partnership, corporation, company or other entity, whom must be licensed by the city, of installing, maintaining, servicing, repairing, altering, replacing, moving, or monitoring an alarm system at an alarm site. This does not include individuals performing work without compensation.

**Alarm notification or dispatch request:** a notification intended to summon police/fire/medical personnel either manually or automatically to a particular alarm site.

**Alarm site:** a single fixed premises or location served by an alarm system. Multi-unit buildings or complexes with multiple physical addresses, are considered separate alarm sites, even if served by only one alarm system:

- Small commercial includes a non-residential business with the largest building being less than 10,000 square feet.
- Large commercial includes a non-residential business with the largest building being 10,001 square feet or more.
- Residential site means any single-family premises having a separate street address.

**Alarm user:** The person who owns, leases or controls any building, structure, or facility wherein an alarm is installed and maintained.

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**Automatic voice dialer:** any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio or other communication system, to a public safety or emergency services agency requesting dispatch.

**Cancellation:** the process where an alarm dispatch request is terminated by the monitoring company for an alarm site prior to emergency personnel arrival at the alarm site.

**Communications center:** The facility used by the city to receive emergency and general information from the public to be dispatched to the respective emergency units and other departments utilizing the city's communications system.

**False alarm:** Any activation of an alarm system reasonably designed to require a response by emergency units of the city, except an alarm resulting from one (1) of the following causes:

- Criminal activity or unauthorized entry
- Fire
- Earthquake
- High winds causing structural damage
- Flooding of protected premises
- Lightning causing physical damage to the protected premises
- Maintenance of alarm devices, provided that the city communications center is first notified before any testing or maintenance work
- Unforeseen power failure

**Holdup alarm:** an alarm signal generated by the manual activation of a device intended to signal a crime in progress.

**Inactive status:** a permit has been placed in an inactive status after the alarm site exceeded six false alarms within a 12-month period. Alarm permits designated inactive are subject to increased administrative fees, fines and other penalties.

**Keypad:** a device that allows control of an alarm system by the manual manipulation of pushbuttons, locks, knobs, etc. A keypad may also be designated as an arming station or a command station.

**Keyholder:** an individual capable of reaching and accessing the alarm site, possessing the code to the alarm system, and/or the authority to approve repairs to the alarm system.

**Medical Alarm:** an alarm designed solely for the call of medical help such as "Life Alert", "Medical Guardian", "Mobile Help", or other similar providers.

**Monitoring:** the process by which an alarm business receives signals from alarm systems and relays alarm notification to a public safety dispatcher for the purpose of summoning emergency response to the alarm site.

***Panic alarm:*** an audible and/or visible alarm system signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring emergency response.

***Unregistered alarm site:*** a site that has not complied with registration requirements set forth in this article.

***Verify:*** an attempt by the alarm business or its representative to determine the validity of an alarm signal by contacting the alarm site or alarm user by at least two different designated telephone numbers or other electronic means before requesting a emergency dispatch, whether or not actual contact with a person is made, in an attempt to avoid an unnecessary alarm dispatch.

***Zones:*** the capability of an alarm system to separate and report incidents or alarms by area at the alarm site (Example: Zone 1—Front Door Contact; Zone 2—Front Entry Motion Detector).

### **Alarm Permit Required**

No person shall install, maintain, or use an alarm system without first applying for and receiving an alarm system permit in accordance with the provisions of this ordinance. For new installs or mid-year moves, the permit fee shall be submitted by the alarm user or the alarm company within 30 days of the alarm installation, activation, or possession of property. Alarm permits are non-refundable and non-transferable.

### **Application for Permits**

Application for a permit to install or use an alarm is made upon forms prepared and made available by the building department. The application is filed in the building department records office, and record is made known to the Police and Fire Department. The application includes:

- The full name, home address and telephone number, business address (if the alarm is being installed in a place of business) and telephone number of the alarm user.
- The address of the location at which the alarm is to be used.
- A description of the type of premises to be protected by the alarm.
- The type of alarm to be used, the type of signal or impulse emitted when actuated, the manufacturer of the device, and other identifying information as appropriate.
- The name, address and telephone number of the alarm installer and, if different, of the company which will service or maintain the alarm.
- At least one persons name and phone number that has the ability to contact the homeowner. This individual must be able to respond or have a designee respond in a manner of time agreed upon after being contacted, day or night, or have the ability to contact the alarm user, or, in the absence of the alarm user, secure the premises after the police investigation or other city response to an emergency is completed.
- The signature of the alarm user and the signature of the individual or agent of the company, if any, installing the alarm.

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Permit Fees are due January 1<sup>st</sup> of each year and are late on February 1<sup>st</sup>. Late permits will incur an additional \$25 fee.

- Residence \$ 25
- Business up to 10,000 sq. ft. \$ 75
- Business 10,001 sq. ft. and above \$100
- Medical only \$ 10

Permit fee revenues will be split evenly between the Fire and Police Departments.

A person commits a violation of this ordinance if he operates or causes to be operated an alarm system without a valid alarm registration and permit issued by the city for each alarm site. The permit required by this ordinance is in addition to any permit which may be required by city for the installation of an alarm system.

An alarm permit decal will be issued to the alarm user, which must be posted at the top right of the most common entrance door (or window beside the door) which will be visible from the exterior of the alarm site. The alarm permit decal shall remain the property of the city.

**Penalties for Non-Registered Alarm Users**

	<b>Residential</b>	<b>Commercial Up to 10,000 sq. ft.</b>	<b>Commercial 10,001 sq. ft. &amp; up</b>
<b>1<sup>st</sup> Offense</b>	\$ 50	\$150	\$200
<b>2<sup>nd</sup> Offense</b>	\$100	\$300	\$400
<b>3<sup>rd</sup> Offense</b>	\$200	\$400	\$500

Penalty fine revenues will be split evenly between the Fire and Police Departments.

**Proper Alarm System Operations**

The city, its officers, or employees, shall not assume any duty or responsibility for the installation, maintenance, operation, repair or effectiveness of any privately-owned alarm system, those duties or responsibilities being solely those of the responsible party.

An alarm user shall:

- Maintain the premises and the alarm system in good working order and in a manner that will minimize or eliminate false alarm notifications;
- Pay all administrative fees and penalties associated with the operation and maintenance of the alarm system;
- Not activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report;
- Provide the alarm installation and/or monitoring company with the alarm system permit number; and
- Notify the building department clerk within 30 days if the alarm system is disconnected or terminated; the permitted alarm user or business moves; or the alarm site is sold.

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- An alarm user shall not contract to retain an alarm business that does not comply with the requirements of this article or is not licensed by the City of Owens Cross Roads or the State of Alabama.
- An alarm shall be capable of notifying the monitoring company of which zone has been activated.

**Prohibited Alarm Equipment**

It shall be unlawful for any person to use a device for activating a holdup alarm (i.e., "panic" button) which is easily accessible by the public.

Automatic devices dialing into the police department or the E 911 center are prohibited. It is unlawful for any person to program an automatic dialing device to summon emergency assistance or to select any telephone line into an emergency department.

**Responsibility for Security Alarm Activation**

The responsibility for false alarms shall be borne by the owner or responsible party for the premises at the time of the false alarm. In the absence of the specific assignment of responsibility for the alarm, the person or persons occupying and/or controlling the premises on which the alarm is located will be held liable.

When responding to an alarm, false or otherwise, at which there are no persons on the premises, a police department official or fire department official will contact the authorized representative(s) who shall respond to the premises within an agreed upon time for the purpose of conducting a security check of the premises and resetting the alarm system. If on three or more occasions within a twelve-month period, the responsible party or authorized representative(s) are not available after notification is attempted, or fail to respond to the premises as required herein, the responsible party shall be assessed a fee of \$50.00.

Each false alarm for which the police or fire department make a separate response is subject to a separate fee assessment.

No person shall be held liable under this chapter for any false alarm transmitted under a reasonable mistake of fact that a fire, robbery, burglary or other felony crime was being or had been committed or for any false alarm caused solely by high wind, rain or other torrential weather.

**Notice-Violations-Fees**

For each alarm that is determined to be false by the enforcement official(s), the responsible party will receive notice, by mail, informing the responsible party of the incident of false alarm and indicating how many false alarms have occurred at the premises during the calendar year.

A fee shall be assessed under this section for each alarm at the premises responded to by the police or fire departments during each registration year. The responsible party shall pay the following fees for each false alarm as set forth below:

**FALSE ALARM NOTIFICATION**

<b>NUMBER OF ALARMS</b>	<b>REGISTERED</b>
3-4	\$50
5	\$75
6	\$100

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All fees/service charges assessed in the enforcement of this chapter shall be considered a bill owed by the alarm user to the city. Each fee/charge shall be paid to the city within 30 calendar days from the date of the receipt of the written notification of the fee/charge.

Failure to pay any fee/charge assessed pursuant to this chapter shall be a violation punishable through our municipal court system by a fine, imprisonment or both. The fee/charge is separate and apart from any fines that may be assessed for a violation of this chapter.

False Alarm fine revenues will be split evenly between the Fire and Police Departments.

Cancelled calls will not be included in the overall count of total false alarms unless the officer has already reached the alarm location.

Alarm may be revoked by CLEO after 12 false alarms in 12 consecutive months for a period of up to six months or until proof of repair of faulty alarm.

ADOPTED THIS 28 DAY OF FEBRUARY 2023.

Approved By:

Attest By:

  
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Tony K. Craig, Mayor

  
\_\_\_\_\_  
Christie D. Eason, City Clerk

City of Owens Cross Roads, Alabama, certificate of publication.

This is to certify that Ordinance No. 23-003, City of Owens Cross Roads, Alabama, was published by posting on the City website, and on at least five (5) bulletin boards within the City.

