

CHAPTER 99: REGULATION OF ALARM SYSTEMS

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§ 99.01 SCOPE AND PURPOSE.

The City finds that excessive false alarms unduly burden the Savage Police Department's limited law enforcement resources, the purpose of this Chapter is to establish reasonable expectations of the alarm users and to ensure that alarm users are held responsible for their use of alarm systems.

This Chapter provides regulation for the use of burglary alarms; establishes service users' fees; and establishes a system of administration. The purpose of this Chapter is to protect the law enforcement services of the city from misuse of alarm systems and to provide for the maximum possible service to alarm system users.

(Prior Code, § 5-3-1) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Alarm Administrator means a person or persons designated by the City to administer, control and review false alarm reduction efforts and administer the provisions of this Chapter.

Alarm Company means a person subject to licensing requirements as a provider of services and goods related to alarm systems and/or engaged in selling, leasing, installing, servicing or monitoring alarm systems.

Alarm Signal means a detectable signal; audible or visual, generated by an alarm system, to which law enforcement personnel are requested to respond.

Alarm System means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other activity requiring immediate attention and to which law enforcement personnel are requested to respond. This does not include motor vehicle or boat alarms, domestic violence alarms, or alarms designed to elicit a medical response.

Alarm User means any person corporation, partnership, proprietorship, governmental or educational entity or any other entity owning, leasing or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

Alarm User Awareness Class means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.

Automatic Dial Protection Device means an automatic dialing device or an automatic telephone dialing alarm system and shall include any system which, upon being activated, automatically initiates to the Scott County Dispatch Center, a recorded message or code signal indicating a need for law enforcement response.

Best Practice Alarm Registration means an alarm registration process for businesses and homeowners which provides the City with pertinent information regarding the operation of an alarm system within the City.

Cancellation means the process where response is terminated when the alarm company (designated by the alarm user) notifies the Scott County Dispatch Center that there is not an existing situation at the alarm site requiring law enforcement unit response after an alarm dispatch request. If cancellation occurs prior to police arriving at the scene, this is not a false alarm for the purpose of civil penalty, and no penalty will be assessed.

City means the City of Savage or its agent.

Enhanced Call Verification (ECV) is a monitoring procedure requiring that a minimum of two calls be made to attempt to determine whether an alarm signal is valid prior to making an Alarm Dispatch Request, EXCEPT in the case of a panic or robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means. The two calls must be made to different phone numbers where a responsible person can typically be reached.

False Alarm means the activation of an alarm system to summon law enforcement personnel through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his/her employees or agents, unless law enforcement response is cancelled by the alarm user's alarm company before law enforcement personnel arrive at the alarm location.

An alarm is false within the meaning of this Chapter when, upon inspection by law enforcement personnel, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system. Notwithstanding the foregoing, a false alarm shall not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user.

Law Enforcement Personnel means City of Savage Police and other City personnel or contractors duly authorized to respond to public safety situations.

Local Alarm means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a structure and is not monitored by a remote monitoring facility, whether installed by an alarm company or user.

Person means any natural individual, group, organization, corporation, partnership, or similar association.

Premises means the property and building on which an alarm system is maintained.

Registration Year means the 12-month calendar year beginning January 1st and ending December 31st.

Runaway Alarm means an alarm system that produces repeated alarm signals that do not appear to be caused by human action. The Savage Police Department may in their discretion discontinue law enforcement responses to an alarm signal that appears to be a runaway alarm.

Scott County Dispatch Center The facility in Scott County used to receive emergency requests for service and general information from the public to be dispatched to respective law enforcement units.

SIA Control Panel Standard CP-01 means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-01 Control Panel Standard, which may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce false alarms. Control panels built and tested to this standard by a nationally recognized testing organization, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction".

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.03 BEST PRACTICE ALARM REGISTRATION

(A) ***Registration required.*** No person shall install or maintain an alarm system without first submitting the City of Savage Alarm Registration Form.

(B) ***Transfer of possession.*** When the possession of the premises at which an alarm system is maintained is transferred, the alarm user obtaining possession of the property shall file an Alarm Registration Form within 30 days of obtaining possession of the premises. Alarm registrations are not transferable.

(C) ***Reporting updated information.*** Whenever the information provided on the alarm registration changes, the alarm user shall provide correct information to the City within 30 days of the change. In addition, each year after the initial alarm registration the alarm user will receive from the city a form requesting updated information. The user shall complete and return this form to the City whether or not any of the information changed. Failure to comply will constitute a violation of this Chapter and may result in a civil penalty.

(D) ***Multiple alarm systems.*** If an alarm user has two or more alarm systems protecting two or more separate structures having different addresses and/or tenants, a separate registration shall be required for each structure and/or tenant.

(E) ***Training Video.*** All alarm users shall view the training video prior to completing the Alarm Registration form. The training video is available on-line or at the Police Department. (Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.04 DUTIES OF THE ALARM USER

All alarm users shall:

(A) Maintain the premises and the alarm system in a manner that will reduce or eliminate false alarms.

(B) Provide a minimum of two different phone numbers to the alarm company for Enhanced Call Verification (ECV).

(C) Respond or cause a representative to respond to the alarm system's location within thirty (30) minutes when notified by the Scott County Dispatch Center and/or the Savage Police Department to deactivate a malfunctioning alarm system.

(D) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.

(E) Submit a new registration form to the City of Savage within 30 days when there is a change in address or ownership of a premises. (Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.05 DUTIES OF THE ALARM COMPANY

All alarm companies engaged in business in the City shall:

(A) Obtain and maintain the required state license(s).

(B) Provide name, address, and telephone number of the registered alarm user or a designee, who can be called in an emergency, 24 hours a day and who will be able to respond to an alarm call, when notified, within 30 minutes.

(C) Provide the most current contact information for the alarm user.

(D) Ninety (90) days after enactment of this Ordinance, on all new and upgraded installations, use only alarm control panels which meet SIA Control Panel Standard CP-01.

(E) Prior to activation of the alarm system, provide instructions explaining the proper operation of the alarm system to the alarm user.

(F) Provide written information to the alarm user of how to obtain service from the alarm company relating to the alarm system.

(G) Use Enhanced Call Verification (ECV) to determine whether an alarm signal is valid before requesting dispatch. ECV shall require, at a minimum that a second call be made to a different number, if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid, EXCEPT in the case of a panic or crime-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.

(H) Provide alarm user contact information to the Scott County Dispatch Center to facilitate dispatch and/or cancellations.

(I) Communicate any available information about the alarm to Scott County Dispatch.

(J) Communicate a cancellation to the Scott County Dispatch Center as soon as possible following a determination that response is unnecessary.

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.06 PROHIBITED ACTS

(A) It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement personnel when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises, or otherwise to cause a false alarm.

(B) It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 15 minutes.

(C) It shall be unlawful to install, maintain, or use an automatic dial protection device that reports, or causes to be reported, any recorded message to the Scott County Dispatch Center.
(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.07 USER FEES AND OTHER VIOLATIONS

(A) **User Fees.** An alarm system which reports a false alarm(s) to the city and which has received notice of the violations will cause the alarm user to be charged an emergency services user fee. The number of allowable false alarms and amount of the fee for each successive false alarm shall be established and, from time to time amended, by ordinance or resolution adopted by the City Council.

(B) **Other Violations.** Violations of this Chapter, other than false alarms, shall be enforced through the assessment of civil penalties in the amount of \$100.00 per violation.

(C) **Civil non-criminal violation.** A violation of any of the provisions of this Chapter shall be a civil violation and shall not constitute a misdemeanor or infraction.

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.08 PAYMENT OF FEES

(A) Emergency services user fees and civil penalties shall be paid to the City Clerk within thirty (30) days from the date of the invoice by the City to the alarm user. Failure to pay the penalty within thirty (30) days from the date of the invoice will cause the alarm user to be considered delinquent and subject to a late payment penalty in the amount of 10% of the invoiced penalty.

(B) All invoiced penalties which are unpaid and delinquent shall be forwarded to the City Clerk who shall prepare a roll each year of the unpaid, delinquent amounts against the respective properties described in the alarm user's registration, which roll shall be delivered to the City Council for certification to the County Auditor on or before October 15 of each year. Prior to delivery of the roll to the City Council, the City Clerk shall give written notice to the property owner on or before September 15th, of the City's intention to certify the charges to the auditor.

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.09 ALARM USER AWARENESS CLASS AND TRAINING VIDEO

(A) The City may create and implement an Alarm User Awareness Class and/or Training Video and may request the assistance of alarm companies to assist in developing and implementing the class or training video. The class or video shall inform alarm users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. The City may grant the option of attending a class in lieu of paying one assessed fine, not to exceed \$100.

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.10 APPEALS

(A) **Appeals process.** Those who are assessed user fees, civil penalties or other penalties under this Chapter, may make a written appeal to the Chief of Police or designee within 10 days of the date of notification of the penalties. The Chief of Police or designee, shall review the appeal and make a written determination. The person or entity who appealed to the Chief of Police or designee may appeal his/her written decision to the City Administrator within 10 days

of the date of the written determination. The City Administrator's decision shall be final. Any failure to appeal within the time periods set forth shall constitute a waiver of the right to contest the penalties.

(B) *Appeal standard.* The Chief of Police or designee shall review an appeal using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the penalties, the Chief of Police or designee shall have the discretion to dismiss or reduce penalties.

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.11 CONFIDENTIALITY

(A) All data gathered in relation to the Best Practices Alarm Registration pursuant to this Chapter is determined to be Security Information data pursuant to Minn. Stat. 13.37 and shall be nonpublic data. All other data gathered pursuant to this Chapter shall be classified pursuant to Minn. Stat. Chap. 13.

(B) Subject to the status of the nonpublic data, the Chief of Police may develop and maintain statistics for the purpose of ongoing alarm system evaluations.

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.12 ADMINISTRATIVE RULES

(A) The Chief of Police or designee shall promulgate rules as may be necessary for the implementation of this Chapter and the administration thereof.

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.13 GOVERNMENT IMMUNITY

(A) Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either express or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By completing the Alarm Registration Form, the alarm user acknowledges that the law enforcement response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

(Prior Code, § 5-3-2) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013)

§ 99.14 SEVERABILITY

(A) The provisions of this Chapter are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

(Prior Code, § 5-3-8) (Ord. 232, passed 12-11-1986; Ord. 726, passed 11-18-2013) Penalty, see 10.99.