



1 alarms, outlines Alarm Installation Company and Monitoring Company  
2 responsibilities, and requires the disciplined use of alarm systems by alarm users.

3 **NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF**  
4 **THE CITY OF LITTLE ROCK, ARKANSAS:**

5 Little Rock, Ark., Rev. Code Chapter 3, Article II, Sections 11-23 are hereby  
6 repealed and the following Sections substituted therefore:

7 **Section 1. Title.** This Ordinance may be known and cited as the “False Alarm  
8 Reduction Ordinance.”

9 **Section 2. Purpose.** The purpose of this Ordinance is to require Alarm Users,  
10 Installers and Monitors to properly use and maintain the operational effectiveness of  
11 Alarm Systems in order to improve the reliability of Alarm Systems and reduce or  
12 eliminate False Alarms. This Ordinance governs Alarm Systems intended to summon  
13 emergency services and requires registration, provides for penalties for violations,  
14 establishes a system of administration, and sets conditions for the cancellation of  
15 emergency services.

16 **Section 3. Definitions.**

17 In this Ordinance the following terms and phrases shall have the following  
18 meanings:

19 **A. 9-1-1 Center** means the municipal agency responsible for receiving an  
20 Alarm Dispatch Request from either an individual or an Alarm  
21 Monitoring Company, and relaying that request to the appropriate  
22 Emergency Services Agency.

23 **B. Alarm Administrator** means a Person or Persons designated by the  
24 Treasury Management Division of the Finance Department of the City of  
25 Little Rock to administer, control and review False Alarm reduction  
26 efforts and administer the provisions of this Ordinance.

- 1           **C. Alarm Dispatch Request** means a notification to an emergency services  
2 agency that an alarm, either manual or automatic, has been activated at a  
3 particular Alarm Site.
- 4           **D. Alarm Installation Company** means a Person who sells, provides,  
5 maintains, services, repairs, alters, replaces, moves, and/or installs an  
6 Alarm System at an Alarm Site.
- 7           **E. Alarm User Permit** means a permit issued by the City to the Alarm User  
8 to operate an Alarm System, obtained after the Alarm User makes written  
9 application to either the Alarm Installation Company, Alarm Monitoring  
10 Company or, the Alarm Administrator, in the case of a Local Alarm.
- 11          **F. Alarm Site** means a single fixed premise or location served by an Alarm  
12 System or Systems. Each unit, if served by a separate Arming Station in a  
13 multi-unit building or complex, shall be considered a separate Alarm Site.
- 14          **G. Alarm System** means a device or series of devices, including, but not  
15 limited to, hardwired systems and systems interconnected with a radio  
16 frequency method such as cellular or private radio signals, which emit or  
17 transmit a remote or local audible, visual or electronic signal indicating an  
18 alarm condition and intended to summon emergency services response,  
19 including Local Alarm Systems. Alarm System does not include an alarm  
20 installed in a vehicle or on someone's Person.
- 21          **H. Alarm User Awareness Class** means a class conducted for the purpose of  
22 educating Alarm Users about the responsible use, operation, and  
23 maintenance of Alarm Systems and the problems created by False Alarms.
- 24          **I. Alarm User** means any Person, who (which) operates an Alarm System.
- 25          **J. Arming Station** means a device that allows control of an Alarm System.
- 26          **K. Automatic Voice Dialer** means any electrical, electronic, mechanical, or  
27 other device capable of being programmed to send a prerecorded voice

1 message, when activated, over a telephone line, radio or other  
2 communication system, to an emergency services agency or the City 9-1-1  
3 Center requesting dispatch.

4 **L. Cancellation** means the process where a dispatch is terminated when an  
5 Alarm Installation Company or Alarm Monitoring Company for the  
6 Alarm Site notifies the responding emergency service agency before their  
7 arrival that there is not an existing situation at the Alarm Site requiring  
8 response after an Alarm Dispatch Request.

9 **M. Conversion** means the transaction or process by which one Alarm  
10 Installation Company or Monitoring Company begins the servicing  
11 Monitoring, or both, of a previously unmonitored Alarm System or an  
12 Alarm System previously serviced or monitored, or both, by another  
13 Alarm Company.

14 **N. Dispatch** means the process in which the 9-1-1 Communication Center  
15 instructs the appropriate emergency services agency to respond to an  
16 alarm.

17 **O. Duress Alarm** means a silent Alarm System signal generated by the entry  
18 of a designated code into an Arming Station in order to signal that the  
19 Alarm User is being forced to turn off the system and requires an  
20 emergency service.

21 **P. Emergency Services** means the public service and emergency service  
22 agencies operating in the city, including all municipal police, fire,  
23 ambulance, emergency management and other such emergency service  
24 agencies as may be needed.

25 **Q. False Alarm** means an Alarm Dispatch Request to an emergency service  
26 agency to summon a law enforcement agency, fire dispatch or medical  
27 emergency, or any combination thereof, to a non-emergency situation.

1 For False Alarm enforcement purposes, any dispatch request cancelled  
2 prior to the arrival of an emergency service agency on an Alarm Site will  
3 still be counted as a False Alarm. However, if the Monitoring Company  
4 calls in time to prevent the arrival of the officer on the scene the alarm  
5 owner will receive a discount on the fee of the false alarm.

6 **R. Grace Period** means a specified length of time from the date of  
7 installation, or system Conversion/Takeover during which no occurrence,  
8 fine or penalty is assessed for False Alarms.

9 **S. Holdup Alarm** means a silent alarm signal generated by the manual  
10 activation of a device intended to signal a robbery in progress.

11 **T. Local Alarm System** means any Alarm System, which is not monitored,  
12 that annunciates an alarm only at the Alarm Site.

13 **U. Monitoring Company** means a Person in the business of providing  
14 Monitoring services.

15 **V. Monitoring** means the process by which a Monitoring Company receives  
16 signals from an Alarm System and relays an Alarm Dispatch Request to  
17 the City 9-1-1 Center for the purpose of summoning the appropriate  
18 emergency services agency to the Alarm Site.

19 **W. One Plus Duress Alarm** utilizes the manual activation of a silent alarm  
20 signal by entering at an Arming Station a code that adds one to the last  
21 digit of the normal arm/disarm code (e.g., normal code = 1234, One Plus  
22 Duress Code = 1235)

23 **X. Panic Alarm** means an audible Alarm System signal generated by the  
24 manual activation of a device intended to signal a life threatening or  
25 emergency situation requiring an emergency service response.

26 **Y. Person** means an individual, corporation, partnership, association,  
27 organization or similar entity.

1       **Z. Response** means the dispatch of emergency services personnel to the  
2 premises where an alarm system has been activated, indicating an  
3 emergency service at those premises.

4       **AA. Responsible Individual** means an individual who is able and has agreed  
5 to:

- 6           1. receive notification of an Alarm System activation at any time;
- 7           2. respond to the Alarm Site within 30 minutes at any time; and
- 8           3. grant access to the Alarm Site and deactivate the Alarm System  
9           upon request.

10       **BB. Takeover** means the transaction or process by which an Alarm User takes  
11 over control of an existing Alarm System, which was previously  
12 controlled by another Alarm User.

13       **CC. Verify** means an attempt by the Monitoring Company, or its representative,  
14 to contact the Alarm Site by telephonic or other electronic means, whether  
15 or not actual contact with a Person is made, to determine whether an  
16 alarm signal is valid before requesting a police dispatch, in an attempt to  
17 avoid an unnecessary Alarm Dispatch Request. For purposes of this  
18 ordinance, "verify" requires, that if the initial call to the alarm site is  
19 unanswered, the Monitoring Company must attempt to reach a  
20 responsible party at a different number than the one listed as the Alarm  
21 Site telephone number. This process is known as "ECV", or "Enhanced  
22 Call Verification". This verification process does not apply to fire and  
23 medical emergency alarm signals, which are dispatched immediately.

24       **DD. Zones** means division of devices into which an Alarm System is divided  
25 to indicate the general location from which an Alarm System signal is  
26 transmitted.

1       **Section. 4. *Registration Required; Application; Transferability; False Statements.***

2           A.       No Alarm User shall operate, or cause to be operated, an Alarm System at  
3                   its Alarm Site without a valid Alarm Permit. A separate Alarm Permit is  
4                   required for each Alarm Site.

5           B.       The Alarm Permit application must be submitted by the Alarm User to the  
6                   Alarm Installation or Alarm Monitoring Company at the time of an Alarm  
7                   System installation or Alarm System Takeover. All Local Alarm System  
8                   applications must be submitted to the Alarm Administrator at the time of  
9                   the Alarm System installation or Alarm System Takeover. The Alarm  
10                  Permit shall be effective until the registered Alarm User no longer  
11                  occupies the Alarm Site.

12          C.       Upon receipt of a completed Alarm Permit application form, either the  
13                  Alarm Installation Company or the Alarm Monitoring Company must  
14                  register the applicant with the Alarm Administrator. Failure of an Alarm  
15                  User to pay a previous civil penalty shall not prohibit them from being  
16                  registered.

17          D.       Each Alarm Permit application must include the following information:

18           1.       the name, complete current address, (including apartment or suite  
19                   number), and telephone numbers of the Person who will be the  
20                   Permit holder and be responsible for the proper maintenance and  
21                   operation of the Alarm System;

22           2.       the classification of the Alarm Site (e.g. single-family residential,  
23                   apartment, commercial, warehouse, government office, etc.);

24           3.       mailing address, if different from the address of the Alarm Site;

25           4.       the date of installation, Conversion or Takeover of the Alarm  
26                   System, whichever is applicable;

- 1           5.     the name, address, and telephone number of the Alarm Installation  
2                     Company or companies performing the Alarm System installation,  
3                     Conversion or Takeover and of the Alarm Installation Company  
4                     responsible for providing repair service to the Alarm System;  
5           6.     the name, address, and telephone number of the Monitoring  
6                     Company, (if applicable), if different from the Alarm Installation  
7                     Company, and  
8           7.     signed certification from the Alarm User stating that:  
9                     a.     a set of written operating instructions for the Alarm System,  
10                     including written guidelines on how to avoid False Alarms,  
11                     have been left with the applicant by the Alarm Installation  
12                     Company;  
13                     b.     the Alarm Installation Company has trained the applicant in  
14                     proper use of the Alarm System, including instructions on  
15                     how to avoid False Alarms; and  
16                     c.     the Alarm User is aware of the fact that an emergency  
17                     service response may be influenced by factors including, but  
18                     not limited to, the availability of emergency service units,  
19                     priority of calls, weather conditions, traffic conditions,  
20                     emergency conditions and staffing levels.
- 21       E.     Any false statement of a material fact made by an applicant for the  
22                     purpose of obtaining an Alarm Permit shall be sufficient cause for  
23                     imposition of a civil penalty prior to the issuance of a Permit by the  
24                     Alarm Administrator.
- 25       F.     An Alarm Permit cannot be transferred to another Person or Alarm Site.  
26                     An Alarm User shall inform the Alarm Installation or Alarm Monitoring  
27                     Company, in the case of a monitored alarm system, or Alarm

1 Administrator, in the case of a non-monitored alarm system, of any  
2 change that alters any of the information listed on the Alarm Permit  
3 application within five (5) business days of such change.

4 **Section 5. *Duties of the Alarm User.***

5 A. An Alarm User shall:

- 6 1. maintain the Alarm Site and the Alarm System in a manner  
7 that will minimize or eliminate False Alarms;
- 8 2. make every reasonable effort to have a Responsible  
9 Individual available at the Alarm Site within 30 minutes  
10 after an Alarm Dispatch Request; and
- 11 3. not activate an Alarm System for any reason other than an  
12 occurrence of an event that the Alarm System was intended  
13 to report.

14 B. An Alarm User shall have a Licensed Alarm Installation Company inspect  
15 the Alarm System after three (3) False Alarms within a revolving three-  
16 month period. The Alarm Administrator may waive a required inspection  
17 if he/she determines that a False Alarm(s) could not have been related to a  
18 defect or malfunction in the Alarm System.

19 C. An Alarm User shall not use Automatic Voice Dialers.

20 D. An Alarm User shall maintain at each Alarm Site an Alarm Permit and a  
21 set of written operating instructions for each Alarm System.

22 E. Alarm Users may agree with their Alarm Installation Company or  
23 Monitoring Company to go through a "grace period" for the first seven (7)  
24 days after installation of an Alarm System during which time neither the  
25 Alarm Installation Company nor the Monitoring Company will have any  
26 obligation to respond to any Alarm Signal from the Alarm Site. If the  
27 Alarm Signal is the result of an actual alarm event, the Alarm Installation

1           Company or the Monitoring Company shall send an Alarm Dispatch  
2           Request to an emergency service agency.

3   **Section 6. *Duties of Alarm Installation Company.***

4           A.    An Alarm Installation Company shall:

- 5           1.    administer the required Alarm Permit to each Alarm User.
- 6           2.    provide written and oral instructions to each of its Alarm Users in  
7           the proper use and operation of their Alarm Systems. Such  
8           instructions will specifically include all instructions necessary to  
9           turn the Alarm System on and off and to avoid False Alarms;
- 10          3.    review with the Alarm User the Customer False Alarm Prevention  
11          Checklist or an equivalent checklist approved by the Alarm  
12          Administrator;
- 13          4.    adjust the mechanism or cause the mechanism to be adjusted so  
14          that a burglary alarm signal audible on the exterior of an Alarm Site  
15          will not sound for more than fifteen (15) minutes after being  
16          activated; and
- 17          5.    not program or cause to be programmed Automatic Voice Dialers  
18          to directly dial an emergency services agency, but can be used to  
19          call their own personnel.
- 20          6.    ensure that all Alarm Users of previously installed Alarm Systems  
21          equipped with a Duress, Holdup or Panic Alarm are given  
22          adequate training as to the proper use of the Duress, Holdup or  
23          Panic Alarm;

24          B.    An Alarm Installation Company that purchases Alarm System accounts  
25          from another Person shall notify the Alarm Administrator of such  
26          purchase and provide details as may be reasonably requested by the  
27          Alarm Administrator.

1           **Section 7. Duties of Alarm Monitoring Company.**

2           A.     A Monitoring Company shall:

- 3                   1.     verify alarm signal before requesting an emergency service  
4                             response to an Alarm System signal, with the exception of duress,  
5                             panic, hold-up, fire or medical emergency alarm situations;
- 6                   2.     communicate Alarm Dispatch Requests to 911 Center after  
7                             verifying the alarm signal;
- 8                   3.     not utilize Automatic Voice Dialer technology to request an Alarm  
9                             Dispatch to an emergency services agency or 911 Center but may  
10                            use them to call their own personnel.
- 11                  4.     record the incident number of the alarm call upon communicating  
12                            the alarm to the 911 Center;
- 13                  5.     communicate Cancellations to the 911 Center in a manner and form  
14                            as outlined in Section 11;
- 15                  6.     communicate any available information (north, south, front, back,  
16                            floor, etc.) about the location on all alarm signals related to the  
17                            Alarm Dispatch Request;
- 18                  7.     communicate type of alarm activation (silent or audible, interior or  
19                            perimeter);
- 20                  8.     provide an Alarm User Permit number when requesting emergency  
21                            service dispatch;
- 22                  9.     promptly advise the emergency service agency if the Monitoring  
23                            Company knows that the Alarm User or the Responder is on the  
24                            way to the Alarm Site after an Alarm Dispatch Request;
- 25                  10.    attempt to contact the Alarm User or Responsible Individual within  
26                            24 hours via mail, fax, telephone or other electronic means when an  
27                            Alarm Dispatch Request is made; and

1           11.    maintain for a period of at least one (1) year from the date of the  
2                    Alarm Dispatch Request, records relating to Alarm Dispatch  
3                    Requests, upon the effective date of this ordinance. Records must  
4                    include the name, address and telephone number of the Alarm  
5                    User, the Alarm System Zone(s) activated, the time of Alarm  
6                    Dispatch Request and evidence of an attempt to Verify. The Alarm  
7                    Administrator may request copies of such records for individually  
8                    named Alarm Users. If the request is made within sixty (60) days  
9                    of an Alarm Dispatch Request, the Monitoring Company shall  
10                   furnish requested records within three (3) business days of  
11                   receiving the request. If the records are requested between sixty  
12                   (60) days to one (1) year after an Alarm Dispatch Request, the  
13                   Monitoring Company shall furnish the requested records within  
14                   thirty (30) days of receiving the request.

15           B. An Alarm Monitoring Company that purchases Alarm System accounts from  
16                   another Person shall notify the Alarm Administrator of such purchase and  
17                   provide details as may be reasonably requested by the Alarm Administrator.

18    **Section 8. *License or Licensing.***

19           A.    Alarm Installation Companies and Monitoring Companies shall maintain  
20                   a License with the State of Arkansas, as required by Arkansas State Code.  
21                   A copy of the License shall be submitted to the Alarm Administrator to be  
22                   kept on file.

23    **Section 9. *Duties and Authority of the Alarm Administrator.***

24           A.    The Alarm Administrator shall establish a procedure for the notification to  
25                   the Alarm User of a False Alarm. Such notice shall include:

- 26                   1.    the date and time of emergency service response to the False  
27                   Alarm;

- 2. the response incident number; and
- 3. a statement urging the Alarm User to ensure that the Alarm System is properly operated, inspected, and serviced in order to avoid False Alarms and resulting civil penalties.

B. The Alarm Administrator or emergency service agency may create and implement an Alarm User Awareness Class. The Alarm Administrator may request the assistance of False Alarm Associations, alarm companies and emergency service agencies in developing and implementing the class. The class shall inform Alarm Users of the problems created by False Alarms and teach Alarm Users how to avoid generating False Alarms.

C. The Alarm Administrator shall post the Ordinance on the City's website.

**Section 10. *Civil Penalties.***

A. An Alarm User shall be subject to civil penalties, depending on the number of False Alarms within a calendar year based upon the following schedule:

1. False Alarm Civil Penalties

<u># of False Alarms</u>	<u>Civil Penalty</u>
1	None
2	None
3	None
4	\$25.00
5	\$50.00
6 or more	Varies depending on the responding agency: \$200 for Police response \$300 for Fire response at a single family-residence

1 \$500 for response to fire at a multi-family,  
2 commercial, hospital, school, or industrial complex  
3 \$450 for an emergency response by the Little Rock  
4 ambulance authority

5 B. In some instances, more than one type of emergency services may respond  
6 to the same call, and the civil penalty may increase accordingly.

7 C. In addition, any Person operating a non-permitted Alarm System will be  
8 subject to a civil penalty of \$250.00 for each False Alarm in addition to any  
9 other fines. In addition, the Alarm Installation and/or Alarm Monitoring  
10 Company will each be subject to a civil penalty of \$250.00 for each False  
11 Alarm in addition to any other civil penalties. The Alarm Administrator  
12 may waive this additional civil penalty for a non-permitted system if the  
13 Alarm User submits an application for Alarm Registration within ten (10)  
14 days after of notification of such violation.

15 D. The Alarm Installation Company shall be assessed a civil penalty of  
16 \$250.00 if the emergency service personnel responding to the False Alarm  
17 determines that an on-site employee of the Alarm Installation Company  
18 directly caused the False Alarm. In this situation, the False Alarm will not  
19 be counted against the Alarm User.

20 E. The Alarm Monitoring Company shall be assessed a civil penalty of  
21 \$250.00 for each failure to Verify Alarm System signals as specified in  
22 Section 7-A-2.

23 F. The Alarm Installation Company shall be assessed a civil penalty of  
24 \$1,000.00 if the Alarm Administrator determines that an Alarm  
25 Installation Company employee knowingly made a false statement  
26 concerning the inspection of an Alarm Site or the performance of an  
27 Alarm System.

1 G. Notice of the right of Appeal under this ordinance will be included with  
2 any civil penalty.

3 **Section 11. Alarm Cancellations.**

4 A. The Alarm System Monitoring Company shall communicate verified  
5 cancellations of alarm dispatch requests to the emergency service agencies  
6 in a manner and form prescribed by this section.

7 B. In order for the 9-1-1 Center to verify the identity of the Alarm System  
8 Monitoring Company and to confirm that the correct specific Alarm  
9 Dispatch Request is to be cancelled, Alarm System Monitoring Companies  
10 are to use the Incident Number given to them by the 9-1-1 Center when  
11 the alarm call was first made.

12 C. For alarm systems that utilize an Alarm Monitoring Company, a request  
13 for a Cancellation of an Alarm Response will only be accepted by the  
14 Alarm Monitoring Company and only after the incident number of the  
15 alarm is reported to the 9-1-1 Center.

16 D. A cancellation that is completed before an emergency services agency is  
17 dispatched shall not be considered to be a false alarm, specifically for  
18 purposes outlined in Section 10. If a cancellation by the Monitoring  
19 Company occurs after dispatch but prior to arrival the fee is discounted by  
20 the following schedule:

21

22	# of False Alarms	Cancel after Dispatch but prior to Arrival	Civil Penalty
23	1	\$0	\$0
24	2	\$0	\$0
25	3	\$0	\$0
26	4	\$10	\$25
27	5	\$20	\$50

1	6	\$50	\$200
2	7	\$75	\$200
3	8	\$100	\$200
4	9	\$125	\$200
5	10	\$150	\$200
6	11 & After	\$175	\$200

7

8 **Section 12. Appeals.**

9 A. If the Alarm Administrator assesses a civil penalty, the Alarm  
 10 Administrator shall send written notice of the action and a statement of  
 11 the right to an appeal to the Alarm User, Alarm Installation Company  
 12 and/or Monitoring Company.

13 B. The Alarm User, Alarm Installation Company, or Monitoring Company,  
 14 or all of them, may appeal an assessment of a civil penalty to the Alarm  
 15 Administrator by setting forth in writing the reasons for the appeal within  
 16 fifteen (15) business days after receipt of the civil penalty or notice of  
 17 revocation.

18 C. The Alarm User may appeal the decision of the Alarm Administrator to  
 19 the False Alarm Appeals Panel as follows:

20 1. The Alarm User may file a written request for a review by paying  
 21 an appeal fee of \$25.00 and setting forth the reasons for the appeal  
 22 within fifteen (15) business days after the date of notification of the  
 23 decision from the Alarm Administrator. Appeal fees will be  
 24 returned to the appealing Alarm User if the appeal is upheld.

25 2. The False Alarm Appeals Panel shall consist of (3) three members  
 26 of representatives from city agencies such as Fire, Police, MEMS, 9-  
 27 1-1 and Finance.

1           3.       The False Alarm Appeals Panel shall conduct a hearing within  
2                   thirty (30) days of the receipt of the request and consider the  
3                   evidence by any interested Person(s). The False Alarm Appeals  
4                   Panel shall make its decision on the basis of the preponderance of  
5                   evidence presented at the hearing. The False Alarm Appeals Panel  
6                   must render a decision within ten (10) days after the date of the  
7                   hearing. The False Alarm Appeal Panel shall affirm or reverse the  
8                   decision of the Alarm Administrator.

9       D.       Filing of a request for appeal shall stay the action by the Alarm  
10               Administrator requiring payment of a civil penalty, until the False Alarm  
11               Appeals Panel has completed its review. If a request for appeal is not  
12               made within the fifteen (15) business day period, the action of the Alarm  
13               Administrator is final.

14       E.       The Alarm Administrator or the False Alarm Appeals Panel may adjust  
15               the count of False Alarms based on evidence that:

- 16           1.       Evidence that a False Alarm was caused by action of the telephone  
17                   company, Alarm Installation Company and/or Monitoring  
18                   Company;
- 19           2.       Evidence that a False Alarm was caused by a power outage lasting  
20                   longer than four (4) hours;
- 21           3.       Evidence that the Alarm Dispatch Request was not a False Alarm.

22       F.       The Installation Company or the Monitoring Company may appeal the  
23               decision of the Alarm Administrator to the False Alarm Appeals Panel as  
24               follows:

- 25           1.       The Installation Company or the Monitoring Company may file a  
26                   written request by paying an appeal fee of \$25.00 and setting forth  
27                   the reasons for the appeal within fifteen (15) business days after the

1 date of notification of the decision from the Alarm Administrator.  
2 Appeal fees will be returned to the appealing Alarm User if the  
3 appeal is upheld.

4 2. The False Alarm Appeals Panel shall conduct a hearing within  
5 thirty (30) days of the receipt of the request and consider the  
6 evidence by any interested Person(s). The False Alarm Appeals  
7 Panel shall make its decision on the basis of the preponderance of  
8 evidence presented at the hearing. The False Alarm Appeals Panel  
9 must render a decision within ten (10) days after the date of the  
10 hearing. The False Alarm Appeal Panel shall affirm or reverse the  
11 decision of the Alarm Administrator.

12 3. Filing of a request for appeal shall stay the action by the Alarm  
13 Administrator requiring payment of a civil penalty, until the False  
14 Alarm Appeals Panel has completed its review. If a request for  
15 appeal is not made within the fifteen (15) business day period, the  
16 action of the Alarm Administrator is final.

17 G. With respect to civil penalties of an Alarm Installation Company or  
18 Monitoring Company, the Alarm Administrator may take into  
19 consideration whether the Alarm Company had engaged in a consistent  
20 pattern of violations. The Alarm Administrator or the False Alarm  
21 Appeals Panel may adjust the civil penalty based upon:

- 22 1. a written statement from an independent inspector designated by  
23 the Alarm Administrator that the Alarm System has been inspected  
24 and is in good working order;
- 25 2. confirmation that the Alarm System requires two independent  
26 zones to trigger before transmitting an alarm signal to the  
27 Monitoring Company;

- 1           3.       confirmation that the Alarm System requires two independent
- 2                   detectors to trigger before transmitting an alarm signal to the
- 3                   Monitoring Company;
- 4           4.       confirmation of the alarm verification process will not make an
- 5                   Alarm Dispatch Request unless the need for law enforcement is
- 6                   confirmed by telephone, a listen-in device, camera device or other
- 7                   device agreed upon by the False Alarm Appeals Panel; and
- 8           5.       certification that the Monitoring Company will not make an Alarm
- 9                   Dispatch Request unless the need for law enforcement is confirmed
- 10                  by a Person at the Alarm Site.

11       **Section 13. *Enforcement and Penalties.***

- 12       A.       Enforcement of this Ordinance may be by civil action as provided under
- 13                  municipal law.

14       **Section 14. *Report of Freedom of Information Act Requests.***

15                  Upon receipt of a Freedom of Information Act request for false alarm or

16                  alarm user database information, the Alarm Administrator will notify the

17                  City Manager's office of the request. The City Manager will notify the

18                  Mayor and Board of Directors of the request in a timely manner.

19       **Section 15. *Review of Ordinance after one year, in December, 2006.***

20                  The City Manager will place an item on the agenda Board of Director's

21                  first regular meeting held in December, 2006 to review the false alarm

22                  ordinance.

23       **Section 16. *Severability.*** In the event that any title, section, paragraph, item,

24       sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid

25       or unconstitutional, such declaration or adjudication shall not affect the remaining

26       portions of the ordinance which shall remain in full force and effect as if the portion so

1 declared or adjudged invalid or unconstitutional was not originally a part of the  
2 ordinance.

3 **Section 17. Repealer.** All ordinances, resolutions, bylaws, and other matters  
4 inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

5 **Section 18. Effective Date.** In order to allow sufficient time to establish the  
6 permit system and issue permits, this ordinance shall take effect January 1, 2006.

7 **PASSED: June 7, 2005**

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9 **ATTEST:**

**APPROVED:**

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11 Nancy Wood  
12 Nancy Wood, City Clerk

Jim Dailey  
Jim Dailey, Mayor

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14 **APPROVED AS TO LEGAL FORM:**

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16 Thomas M. Carpenter  
17 Thomas M. Carpenter, City Attorney

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