

## ARTICLE X. ALARMS

### Sec. 7-191. Purpose.

(a) The purpose of this article is to encourage alarm users and alarm businesses to maintain the operational reliability and properly use alarm systems and to reduce or eliminate false alarm dispatch requests.

(b) This article governs systems intended to summon police response, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension.

(Ord. No. 137-1996, § 2, 6-18-96)

### Sec. 7-192. Definitions.

In this article:

*Alarm administrator* means a person or persons designated by the governing authority to administer, control and review alarm applications, permits and alarm dispatch requests.

*Alarm business* means a business, by an individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or monitoring an alarm system in an alarm site.

*Alarm dispatch request* means a notification to the police by the alarm business that an alarm, either manual or automatic, has been activated at a particular alarm site.

*Alarm review board* shall consist of (5) five members as follows: the alarm administrator, the chief or his designee, the city attorney or his designate and two (2) Alexandria-based alarm company members appointed by LBF AA (Louisiana Burglar & Fire Alarm Association), Region III.

*Alarm site* means a single premises or location served by an alarm system or systems. Each tenancy, if served by a separate alarm system in a multitenant building or complex shall be considered a separate alarm site.

*Alarm system* means a device or series of devices, including, but not limited to, systems interconnected with radio frequency signals, which are designed to discourage crime by emitting or transmitting a remote or local audible, visual or electronic signal indicating an alarm condition. "Alarm system" does not include:

- (1) An alarm installed on a vehicle unless the vehicle is permanently located at a site;  
or
- (2) An alarm designed to alert only the inhabitants of a premises that does not have a sounding device which can be heard on the exterior of the alarm site.

*Alarm user* means any person, firm, partnership, corporation or other entity which uses an alarm system at its alarm site.

*Chief* means the chief of police of the city or any authorized representative.

*Conversion* means the transaction or process by which one alarm business begins monitoring of an alarm system previously monitored by another alarm business.

*False alarm dispatch* means an alarm dispatch request to the police department, when the responding officer finds no evidence of a criminal offense or attempted criminal offense after having

completed a timely investigation of the alarm site. An alarm dispatch request which is canceled by the alarm business or the alarm user prior to the time the responding officer reaches the alarm site shall not be considered a false alarm dispatch.

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

*Keypad* means a device that allows control of an alarm system by the manual entering of a coded sequence of numbers or letters.

*Monitoring* means the process by which an alarm business receives signals from alarm systems and relays an alarm dispatch request to the city for the purpose of summoning police response to the alarm site.

*One plus duress alarm* means the manual activation of a silent alarm signal by entering at a keypad a code that adds one (1) to the last digit of the normal arm/disarm code (Normal code = 1234, one plus duress code = 1235).

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

*Takeover* means the transaction or process by which an alarm user takes over control of an existing alarm system which was previously controlled by another alarm user.

*Verify* means an attempt by the alarm business or its representative to contact the alarm site by telephone or other electronic means, whether or not actual contact with a person is made, before requesting a police dispatch, in an attempt to avoid an unnecessary alarm dispatch request.

*Voice dialer (automatic dialing device)* means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit, by voice message or code signal, an emergency message indicating a need for emergency response.

(Ord. No. 137-1996, § 2, 6-18-96)

### **Sec. 7-193. Registration required; application; fee; transferability; false statements.**

(a) No commercial alarm user shall operate, or cause to be operated, an alarm system at its alarm site unless such alarm site has been duly registered with the alarm administrator. A separate registration is required for each alarm site.

(b) Upon receipt of a completed application form, the alarm administrator shall issue a registration certificate to an applicant unless the applicant has:

(1) Failed to pay a fine assessed under section 7-202; or

(2) Had an alarm registration for the alarm site suspended and the violation causing the suspension has not been corrected.

(c) Each application must include the following information: the name, address, and telephone number of the person who will be responsible for the proper maintenance and operation of the alarm system and payment of fines assessed under this article.

(d) An alarm registration certificate cannot be transferred to another person. An alarm user shall inform the alarm administrator of any change that alters any information listed on the permit application within five (5) business days.

(e) Information contained in applications shall be held in confidence by all employees or representatives of the city with access to such information.

(Ord. No. 137-1996, § 2, 6-18-96)

**Sec. 7-194. Alarm systems in apartment complexes.**

The owner or property manager of an apartment complex shall register any alarm system operated in a nonresidential area of the apartment complex, including, but not limited to, common tenant areas and office, storage and equipment areas.

(Ord. No. 137-1996, § 2, 6-18-96)

**Sec. 7-195. Registration duration and renewal.**

A commercial registration certificate shall expire one (1) year from the date of issuance, and must be renewed annually by submitting an updated application to the alarm administrator. The alarm administrator shall notify each alarm user of the need to renew thirty (30) days prior to the expiration of their certificate. It is the responsibility of the alarm user to submit an application prior to the certificate expiration date. Failure to renew will be classified as use of a non-registered alarm system and citations and penalties shall be assessed without waiver.

(Ord. No. 137-1996, § 2, 6-18-96)

**Sec. 7-196. Proper alarm systems operation and maintenance.**

(a) An alarm user shall:

- (1) Maintain the premises and the alarm system in a manner that will minimize or eliminate false alarm dispatches; and
- (2) Make every reasonable effort to respond or cause a representative to respond to the alarm system's location within one-half ( 1/2) hour when notified by the city to deactivate a malfunctioning alarm system, to provide access to the premises, or to provide security for the premises; and
- (3) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.
- (4) Not install or use a system with a voice dialer. The use of a voice dialer on an alarm system is prohibited.

(b) An alarm user shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site will sound no longer than ten (10) minutes after being activated.

(Ord. No. 137-1996, § 2, 6-18-96)

**Sec. 7-197. Monitoring procedures.**

(a) An alarm business performing monitoring services shall:

- (1) Report alarm signals by using telephone numbers designated by the alarm administrator;
- (2) Attempt to verify every alarm signal, except a duress or hold up alarm activation before requesting a police response to an alarm signal. The above does not apply to a system certified by Underwriters Laboratories, Inc.;

(3) Communicate alarm dispatch requests to the city in a manner and form determined by the alarm administrator.

(4) Communicate verified cancellations of alarm dispatch requests to the city in a manner and form determined by the alarm administrator.

(5) Cease communication of a non-verified intrusion alarm signal on any alarm site that has its certificate suspended or that has received a notice of non-police response.

(b) The alarm administrator shall:

(1) Designate a manner, form and telephone numbers for the communication of alarm dispatch requests;

(2) Develop a procedure to accept verified cancellation of alarm dispatch requests.

(3) Notify alarm business of alarm sites that have had their certificate suspended or received a notice of non-police response.

(Ord. No. 137-1996, § 2, 6-18-96)

### **Sec. 7-198. Duties of alarm business.**

(a) Alarm businesses shall not program alarm systems so that they are capable of sending one plus duress alarms. Alarm businesses may continue to report one plus duress alarms received from alarm systems programmed with this feature prior to December 31, 1997. However, after January 1, 1998, when performing a takeover or conversion an alarm business must remove the one plus duress alarm capability from the alarm system being taken over or converted.

(b) Alarm businesses shall not install a device for activating a hold-up alarm which is a single action and/or non-recessed button.

(Ord. No. 137-1996, § 2, 6-18-96)

### **Sec. 7-199. Alarm system operating instructions.**

An alarm user shall maintain at each alarm site a set of written operating instructions for each alarm system.

(Ord. No. 137-1996, § 2, 6-18-96)

### **Sec. 7-200. Alarm dispatch request records.**

(a) The officer responding to an alarm dispatch request shall record such information as necessary to permit the alarm administrator to maintain records, including, but not limited to the following information:

(1) Identification of the alarm site;

(2) Arrival time at the alarm site and dispatch received time;

(3) Date, and time;

(4) Weather conditions;

(5) Area and/or sub-area of premises involved;

(6) Name of alarm user's representative on premises, if any;

- (7) Identification of the responsible alarm business; and/or
- (8) Unable to locate the address.

(b) The responding police officer shall indicate on the incident report whether the dispatch was caused by a criminal offense, an attempted criminal offense, or was a false alarm dispatch.

(c) In the case of an assumed false alarm dispatch, the responding police officer shall leave notice at the alarm site that the police department has responded to a false alarm dispatch. The notice shall include the following information:

- (1) The date and time of police response to the false alarm dispatch;
- (2) The name and badge number of the responding police officer; and
- (3) A statement urging the alarm user to ensure that the alarm system is properly operated, inspected, and serviced in order to avoid fines.

(d) Alarm businesses which perform monitoring services must maintain for a period of at least one (1) year following request for police dispatch to an alarm site, records relating to the dispatch. Records must include the name, address and phone number of the alarm user, the alarm system zone(s) or point(s) activated, the time of request for police dispatch and evidence that an attempt to verify was made to the alarm site prior to the request for police dispatch. The alarm administrator may request copies of such records for individually named alarm users.

(Ord. No. 137-1996, § 2, 6-18-96)

**Sec. 7-201. System performance reviews.**

If there is reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation and suppresses false alarms, the alarm administrator may require a conference with an alarm user and the alarm business responsible for the repair of the alarm system to review the circumstances of each false alarm.

(Ord. No. 137-1996, § 2, 6-18-96)

**Sec. 7-202. Fines.**

(a) An alarm user or the master permit holder for an apartment complex shall be subject to fines, warnings and suspension or revocation of permit depending on the number of false alarm dispatches emitted from an alarm system within a twelve-month period based upon the following schedule:

TABLE INSET:

Number of False Alarm Dispatches	Action Taken
1	On-site written notice and warning letter #1
2	On-site written notice and warning letter #2
3	On-site written notice and \$25.00 fine
4--9	On-site written notice and \$50.00 fine
10	On-site written notice and suspension or notice of non-police response by certified mail

(b) In addition, any person operating an alarm system which is nonregistered, suspended or a

notice of non-police response letter has been issued will be subject to a citation and assessment of a one-hundred-dollar (\$100.00) fine for each false alarm dispatch, in addition to any other fines. The alarm administrator may waive this additional fine for a nonregistered system if the alarm user applies for registration within ten (10) days after such violation.

(c) Senior citizens, sixty-five (65) years or older, or certifiably handicapped citizens, operating a residential alarm shall have a fine waived by the alarm administrator if evidence is found that the activation of the alarm was a result of confusion, panic, or other similar causes linked directly to the user's advanced age. However, in every case, the senior citizen that is an alarm user must cooperate with and agree to receive training on the proper use of the alarm system. Failure to do so will result in the assessment of fines as described above in subsection (a).

(d) Alarm dispatch requests, caused by actual criminal offense or with evidence of a criminal attempt, shall not be counted as a false alarm dispatch.

(e) The alarm administrator may reinstate a suspended certificate upon receipt of acceptable evidence that the cause has been addressed and appropriate corrective action has been taken as outlined in section 7-206.

(Ord. No. 137-1996, § 2, 6-18-96)

### **Sec. 7-203. Appeal from fines.**

(a) An alarm user may appeal assessment of a fine to the alarm review board by filing a written request to the alarm administrator for a hearing, setting forth the reasons for the appeal within ten (10) days after receipt of the fine. The filing of a request for an appeal hearing with the alarm review board stays the assessment of the fine until the alarm review board makes a final decision.

(b) The alarm review board shall conduct a formal hearing and consider the evidence by any interested person(s). The board shall make its decision on the basis of the preponderance of evidence presented at the hearing including, but not limited to, evidence that a false alarm dispatch was caused by a defective part that has been repaired or replaced or that an alarm dispatch request was caused by a criminal offense. The board must render a decision within thirty (30) days after the request for an appeal hearing is filed. The board shall affirm, reverse or modify the assessment of the fine. The decision of the board is final as to administrative remedies with the city.

(Ord. No. 137-1996, § 2, 6-18-96)

### **Sec. 7-204. Suspension or loss of alarm registration certificate.**

(a) In addition to suspension pursuant to section 7-202, the alarm administrator may suspend an alarm registration certificate if it is determined that:

(1) There is a false statement of a material matter in the application for registration;

(2) The permit holder has failed to make timely payment of a fine assessed under section 7-202(a); timely payment for purposes of this section shall mean forty-five (45) days from levy;

(b) Unless there is separate indication that there is a crime in progress, the chief may refuse police response to an alarm dispatch request at an alarm site for which the alarm registration certificate is suspended or received a notice of non-police response.

(c) If the alarm certificate is reinstated pursuant to section 7-206, the alarm administrator may re-suspend the alarm certificate if it is determined that two (2) subsequent false alarm

dispatches occur within sixty (60) days after the reinstatement date.

(Ord. No. 137-1996, § 2, 6-18-96)

**Sec. 7-205. Appeal from denial, suspension or revocation of a registration certificate.**

(a) If the alarm administrator denies the issuance or renewal of a permit, or suspends a certificate, he or she shall send written notice of the action and a statement of the right to an appeal, by certified mail, return receipt requested, to both the applicant or alarm user and the alarm business. The applicant or alarm user may appeal the decision of the alarm administrator to the chief by filing a written request for a review setting forth the reasons for the appeal within twenty (20) days after receipt of the notice from the alarm administrator. An alarm business may submit the request for review on behalf of the alarm user. Filing of a request for appeal shall stay the action by the alarm administrator suspending a certificate until the chief has completed his/her review. If a request for appeal is not made within the twenty-day period, the action of the administrator is final.

(b) Alarm users shall be entitled to a hearing before the alarm review board if requested within twenty (20) days of receipt of notice of a sustained denial of a certificate by the chief. An alarm business may submit a request for hearing on behalf of an alarm user.

(c) The alarm review board shall conduct a formal hearing and consider the evidence by any interested person(s). The board shall make its decision on the basis of a preponderance of the evidence presented at the hearing including, but not limited to, certification that alarm users have been retrained, that a defective part has been repaired or replaced, or that the cause of the false alarm has been otherwise determined and corrected. The board must render a written decision within thirty (30) days after the request for an appeal hearing is filed. The board shall affirm, reverse, or modify the action of the chief. The decision of the board is final as to administrative remedies with the city.

(Ord. No. 137-1996, § 2, 6-18-96)

**Sec. 7-206. Reinstatement of certificate.**

A person whose alarm certificate has been suspended may be issued a new certificate if the person:

- (1) Submits an updated application; and
- (2) Pays or otherwise resolves all citations and fines; and
- (3) Submits a certification from an alarm business, that complies with the requirements of this article, stating that the alarm system has been inspected and repaired (if necessary) by the alarm business.

(Ord. No. 137-1996, § 2, 6-18-96)