

CHAPTER 9. POLICE EMERGENCY ALARM SYSTEMS*

***Editor's note:** Ord. No. 11072, § 1, adopted February 11, 1998, amended the Code by reenacting Chapter 9 to read as herein set out. The editor has treated Ord. No. 11072 as specifically repealing those sections that it did not specifically include. Ord. No. 11072, and consequently the provisions of this chapter, has been revised to conform to changes in state law, and becomes effective June 1, 1998.

Sec. 9:413. Definitions.

(a) *Alarm answering service* shall mean a telephone answering service providing among its services the receiving, through trained employees, of the emergency signals from alarm systems, and the relaying of the message by live voice to the communications center of the police department or sheriff's offices.

(b) *Alarm business* shall not include a business which only manufactures alarm systems or only sells alarm systems to retail outlets, or one which manufactures or sells alarm systems to retail outlets, unless the firm, company, partnership or corporation also services, installs, sells at retail, and /or monitors alarm systems.

(c) *Alarm system* shall mean an assembly of equipment or devices which is designed, arranged or used for the detection of a hazardous condition or an unauthorized entry or attempted entry into a building, structure or facility, or for alerting persons of a hazardous condition or the commission of an unlawful act within a building, structure or facility, and which emits a sound, or transmits a signal or message when activated, to which annunciation, a law enforcement agency or other service agency may be summoned to respond. For purposes of this chapter, an alarm system shall not include:

(1) An alarm installed on a motor vehicle.

(2) An alarm designed so that no notification is given to the police department or sheriff's office until after the occupants or an agent of the owner or lessee have checked the alarm site and determined that there is physical evidence at the site showing that the alarm was the result of criminal activity of the kind for which the alarm system was designed to give notice, if a person who is able to grant access to the alarm site remains at such site until police arrive whenever the police are notified after an alarm has been activated and such person renders access and such other assistance as he is able to give and such as is needed by the law enforcement to properly investigate the situation.

(3) An alarm installed upon premises occupied by the United States Government, by the State of Louisiana, by the City of Baton Rouge and Parish of East Baton Rouge or any subdivision thereof.

(4) Any device or system designed solely to detect or give notice of fire or smoke.

(d) *Alarm user* is any person, firm, company, partnership or corporation possessing a functional alarm system to which police officers may be required to respond.

(e) *Automatic telephone dialing equipment* shall mean an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded police message or docked signal to report a police emergency condition which the alarm system is

designed to detect.

(f) *Board* shall mean the false alarm regulatory board as established in section 9:427.

(g) *False alarm* means the activation of an alarm system under circumstances where no police emergency exists at the alarm site and which activation results in a response by a law enforcement agency.

(h) *Holdup alarm* shall mean any device activated by human action as a result of or in response to robbery or attempted robbery at the alarm site.

(i) *Interconnect* shall mean to connect an alarm system to a voice grade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.

(j) *Local alarm* shall mean any alarm emitting audible and/or visual signals in, at or on the alarm site when activated, and which results in notification begin made directly or indirectly to the police department or sheriff's office.

(k) *Malicious false alarm* shall mean the intentional false reporting to the police or sheriff's office of a police emergency condition, or the intentional setting off of an alarm system which will cause another to report the signal to law enforcement. However, this definition is not to include the testing of an alarm system by a licensed alarm business under guidelines to be established by the police department.

(l) *Monitoring station* shall mean an office to which remote police alarm and supervisory signaling devices are connected, where trained personnel are on duty and in attendance at all times to supervise the circuits terminating therein, investigate signals, and retransmit alarm signals to appropriate agencies.

(m) *Permit* shall mean a certificate of authorization issued by the chief of police to the person in control of property which authorizes the operation of an alarm system at that location.

(n) *Permit holder* shall mean the individual, partnership or other legal entity to whom an alarm system permit is issued by the chief of police.

(o) *Person* shall mean any individual, partnership, corporation or other legal entity.

(p) *Police* may be inclusive of any law enforcement agency having jurisdiction in the parish.

(q) *Primary trunk line* shall mean an electronic signal alarm line leading directly into the communications center of the police department for use by banks, and other businesses upon appropriate licensing.

(r) *Proprietary system* shall mean an alarm system emitting alarm or supervisory signals from within a control center located within a protected premises, the control center being under the supervision of the proprietor of the protected premises. If a proprietary system includes any signal, visible or audible, outside the protected premises, it thereby becomes a police emergency alarm system as defined above.

(s) *Response* shall mean the arrival of a law enforcement officer or officers at the premises where an alarm system has been activated indicating a police emergency at those premises.

(t) *Special trunk line* shall mean a telephone line leading into the communications center of the police department and having the primary purpose of handling emergency signals or messages originating either directly or through a central location from automatic dialing devices.

(u) *Transmitting device* shall mean an instrument which sends a signal to a monitoring point indicating intrusion into a given protected area.

(Ord. No. 8206, § 1, 9-10-86; Ord. No. 8391, § 1, 4-22-87; Ord. No. 8880, § 1, 3-22-89; Ord. No. 9030, § 1, 12-13-89; Ord. No. 11072, § 1, 2-11-98)

Secs. 9:414, 9:415. Reserved.

Editor's note: Ord. No. 11072, § 1, adopted February 11, 1998, amended the Code by repealing former sections 9:414 and 9:415. Former § 9:414 pertained to doing business without a license, and derived from Ord. No. 8206, adopted September 10, 1986; Ord. No. 8391, adopted April 22, 1987; and Ord. No. 9030, adopted December 13, 1989. Former § 9:415 pertained to license application, and derived from the aforementioned Ord. Nos. 8206, 8391, and 9030, as well as Ord. No. 8880, adopted March 22, 1989.

Sec. 9:415.1. Medical alarm systems.

Medical alarm systems which employ as a part of their initial response system a police dispatch without further verification shall be licensed according to the requirements of this chapter.

(Ord. No. 9803, § 1, 1-12-94; Ord. No. 11072, § 1, 2-11-98)

Secs. 9:416--9:419. Reserved.

Editor's note: Ord. No. 11072, § 1, adopted February 11, 1998, amended the Code by repealing former §§ 9:416--9:419. Former § 9:416 pertained to license application fees, and derived from Ord. No. 8206, adopted September 10, 1986; Ord. No. 8391, adopted April 22, 1987; Ord. No. 8880, adopted March 22, 1989; Ord. No. 9030, adopted December 13, 1989; and Ord. No. 9803, adopted January 12, 1994. Former § 9:417 pertained to license qualifications, and derived from the aforementioned Ord. Nos. 8206, 8391, 8880, and 9030, as well as Ord. No. 9515, adopted October 28, 1992; and Ord. No. 10159, adopted January 25, 1995. Former § 9:418 pertained to revocation of license, and derived from the aforementioned Ord. Nos. 8206, 8391, 9030, and 10159. Former § 9-419 pertained to required reports, and derived from the aforementioned Ord. Nos. 8206, 8391, 8880, 9030, and 9515.

Sec. 9:420. Automatic telephone dialing equipment.

(a) Automatic dialing services designed to transmit signals directly to the communications center of the police department, the sheriff's office or the medical communications office, which is reached by dialing 911, are prohibited.

(b) A primary trunk line as defined herein may be interconnected to the communications center of the police department. Before such a line is interconnected, the person performing this operation shall first obtain instructions from the police department concerning procedure to be followed; and the person wishing to interconnect such primary trunk line shall bear all the costs of the installment and maintenance of any such line. Additionally, the person interconnecting a primary trunk line to the communications center of the police department shall pay the city through the police department a monthly fee in the amount of fifty dollars (\$50.00) for each alarm system serviced by the trunk line to cover the cost to the city of providing personnel to monitor the primary trunk line.

(c) Every primary trunk line user shall pay to the city-parish through the chief of police a penalty of ten dollars (\$10.00) for each and every false alarm which was generated by the user subsequent to the fifth false alarm in any one (1) calendar year.

(d) Every alarm user having a primary trunk line connected with the communications center of the police department shall in all other respects possess a valid alarm user permit upon which application shall be included an indication that the alarm user is connected with the communications center by a primary trunk line.

(Ord. No. 8206, § 1, 9-10-86; Ord. No. 8391, § 1, 4-22-87; Ord. No. 8454, § 1, 7-8-87; Ord. No. 9030, § 8, 12-13-89; Ord. No. 9515, § 3, 10-28-92; Ord. No. 11072, § 1, 2-11-98)

Sec. 9:421. Reserved.

Editor's note: Ord. No. 11072, § 1, adopted February 11, 1998, amended the Code by repealing former § 9:421 in its entirety. Former § 9:421 pertained to alarm business regulations, and derived from Ord. No. 8206, adopted September 10, 1986; Ord. No. 8391, adopted April 22, 1987; and Ord. No. 9030, adopted December 13, 1989.

Sec. 9:422. Alarm user permits.

(a) *Permit.* Every alarm user shall obtain an alarm user permit for each separate address in which he operates an alarm system within the city-parish, which shall be non-transferable. This subsection does not require that a licensed alarm business obtain a permit under this section when it leases or provides services to alarm system users. If, however, a licensed alarm business does use an alarm system to protect its own premises, it shall obtain an alarm user permit for such system as required in this section. The user shall register the alarm system in his or her name within thirty (30) days of either the installation of the system or the taking control of an alarm system in an existing structure.

(b) *Alarm user permit application.* The alarm user applying for the permit required in subsection (a) of this section shall state on a permit application form to be prepared by the police department:

- (1) His name.
- (2) The address of the residence, business or other structure in or upon which the alarm system has been or will be installed.
- (3) His telephone number.
- (4) The alarm business or businesses selling, installing, monitoring, inspecting, responding to and/or maintaining the alarm system.
- (5) Such other information as the chief of police may require.

(c) *Alarm user permit fee.* There shall be an initial permit fee of twenty-five dollars (\$25.00) and no permit fees for annual renewals; except that any applicant for a renewal must have paid in full, at the time of the renewal, which shall be June 1, any and all penalties as may have been assessed during the fiscal year exclusive of those penalties which may be under appeal. The permit applicant shall be responsible for all fees or fines associated with operation of the alarm system for which the permit was issued.

(d) *Restrictions on inspection.* In accordance with the provisions of R.S. 44:3A(3), the information contained in an alarm user permit application as required by this section and other information received by the police department through correspondence or communications with an alarm user shall be securely maintained and restricted to inspection only by law enforcement personnel and persons specifically assigned the responsibility for handling and processing alarm user permits in the course of their official duties. No person shall knowingly or willfully reveal information contained in an alarm user permit application or in correspondence or communications with an alarm user to any person for any purpose not related to this article or official law enforcement matters without the express written consent of the alarm user supplying such information.

(e) *Presentation of permit on request.* Any law enforcement officer answering a false alarm call shall have the authority to request to see a permit of the alarm user. The permit shall remain

upon the premises for which it was issued. The permit or photocopy shall be presented on demand to officers. If the user cannot produce a permit, the law enforcement officer shall have the authority to issue a misdemeanor summons. If the alarm user can verify to the licensing division of the police department that the permit was valid on the day of the false alarm, the misdemeanor summons shall be dismissed.

(f) *Operation without permit prohibited.* Any alarm user who operates an alarm system without having first obtained a permit as required by this section or who, after having a permit revoked and after exhausting his rights to hearing and appeal, fails to disconnect his alarm system, shall be in violation of this chapter and shall be fined, upon conviction, not less than one hundred dollars (\$100.00) nor more than two hundred fifty dollars (\$250.00) for each calendar day of violation.

(g) *Address to be visible.* The permit applicant shall be responsible for displaying the correct numerical address of the protected property in such a manner as to be readily visible from the street by law enforcement officers responding to that address.

(h) No alarm user shall acquire an alarm system that does not provide for an automatic reset of the alarm after it has activated for longer than ten (10) minutes.

(Ord. No. 8206, § 1, 9-10-86; Ord. No. 8391, § 1, 4-22-87; Ord. No. 9030, § 10, 12-13-89; Ord. No. 9515, § 4, 10-28-92; Ord. No. 9803, § 3, 1-12-94; Ord. No. 11072, § 1, 2-11-98)

Sec. 9:423. False alarms.

(a) Any alarm user shall have the right to notify the appropriate law enforcement agency of the cancellation of an alarm notification and, provided the notice is timely, shall not thereafter be credited with a false alarm for that alarm. "Timely notification" shall be notification by telephone to the communications center of the police department or the sheriff's office, as applicable, in advance of any law enforcement officer's responding to that alarm call.

(b) In the interests of increased personal or business security, any alarm user shall have the right to notify law enforcement agencies in his alarm user permit application that law enforcement should not accept any communication of a false alarm at his alarm system and should respond to each and every alarm notification, in which event the alarm user forfeits his right to give notification of false alarms as provided above.

(c) An alarm system user shall pay the city through the chief of police a penalty for excessive false alarms. There will be no charge for the first five false alarms, a penalty of ten dollars (\$10.00) each for six through ten false alarms and a penalty of twenty-five dollars (\$25.00) each for eleven and above false alarms responded to by the police department generated by the alarm system user within any permit year.

(d) An alarm system user shall pay to the sheriff a penalty for excessive false alarms. There will be no charge for the first five false alarms, a penalty of ten dollars (\$10.00) each for six through ten false alarms and a penalty of twenty-five dollars (\$25.00) each for eleven and above false alarms responded to by the sheriff's office generated by the alarm system user within any permit year.

(e) Any designee of the sheriff or the chief of police shall give to each subscriber written notice of each false alarm attributed to that permit user as soon as possible. This written notice may be in the form as the chief of police may deem appropriate and left at the scene of the false alarm, or may be given by US mail addressed to the person to be notified. The alarm user permit holder may, within ten (10) days after receipt of such notice, present evidence to the supervisor of the alarm enforcement division of the police department indicating that any alleged false alarm was not, in fact, a false alarm; and any adverse determination as made by the alarm enforcement division supervisor may be appealed to the police legal advisor, within thirty (30) days of the adverse determination.

(f) Failure to respond to the second notice of nonpayment, which notice shall clearly state "final notice," within thirty (30) days shall result in revocation of the permit.

(Ord. No. 8206, § 1, 9-10-86; Ord. No. 8391, § 1, 4-22-87; Ord. No. 9030, § 11, 12-13-89; Ord. No. 9803, § 4, 1-12-94; Ord. No. 11072, § 1, 2-11-98; Ord. No. 11350, § 2, 1-27-99)

Sec. 9:424. Malicious false alarms.

It shall be unlawful for any person to cause a malicious false alarm to be reported to the police department or to the sheriff's office.

(Ord. No. 8206, § 1, 9-10-86; Ord. No. 8391, § 1, 4-22-87; Ord. No. 9030, § 12, 12-13-89; Ord. No. 11072, § 1, 2-11-98)

Secs. 9:425, 9:426. Reserved.

Editor's note: Section 9:425, formerly § 9:426, regulating monitoring stations or central stations and alarm answering services, derived from Ord. Nos. 8206, 8391, and 9030, was repealed by Ord. No. 9515, § 5, adopted Oct. 28, 1992. Ord. No. 11072, § 1, adopted February 11, 1998, amended the Code by repealing former § 9:426 in its entirety. Former § 9:426 pertained to alarm agents, and derived from Ord. No. 8206, adopted September 10, 1986; Ord. No. 8391, adopted April 22, 1987; Ord. No. 8880, adopted March 22, 1989; Ord. No. 9030, adopted December 13, 1989; Ord. No. 9515, adopted October 28, 1992; and Ord. No. 10159, adopted January 25, 1995.

Sec. 9:427. Reserved.

Editor's note: Ord. No. 11350, § 1, adopted January 27, 1999, amended the Code by repealing former § 9:427 in its entirety. Former § 9:427 pertained to the false alarm regulatory board, and derived from Ord. No. 8206, adopted September 10, 1986; Ord. No. 8391, adopted April 22, 1987; Ord. No. 9030, adopted December 13, 1989; Ord. No. 9515, adopted October 28, 1992; Ord. No. 9803, adopted January 12, 1994; Ord. No. 11072, adopted February 11, 1998.

Sec. 9:428. Regulatory powers.

The chief of police may promulgate reasonable written standards, rules and regulations that may be necessary for the purpose of assuring the quality, efficiency and effectiveness of police emergency alarm communications, and of administering and enforcing the provisions of this chapter.

(Ord. No. 8206, § 1, 9-10-86; Ord. No. 8391, § 1, 4-22-87; Ord. No. 9030, § 16, 12-13-89; Ord. No. 11072, § 1, 2-11-98; Ord. No. 11350, § 3, 1-27-99)

Sec. 9:429. Exceptions.

The provisions of this chapter shall not apply to any governmental entity, in regards to payment of a fee or a penalty or the revocation of a permit, which provides, maintains and services police emergency alarm reporting systems for its own protection when acting in a governmental capacity as opposed to a proprietary function."

(Ord. No. 8206, § 1, 9-10-86; Ord. No. 8391, § 1, 4-22-87; Ord. No. 9030, § 17, 12-13-89; Ord. No. 11072, § 1, 2-11-98)

Secs. 9:430, 9:431. Reserved.

Editor's note: Ord. No. 11072, § 1, adopted February 11, 1998, amended the Code by repealing former §§ 9:430 and 9:431 in their entirety. Former § 9:430 pertained to penalties, and derived from Ord. No. 8206, adopted September 10, 1986; Ord. No. 8391, adopted April 22, 1987; and Ord. No. 9030, adopted December 13, 1989. Former § 9:431 pertained to severability and derived from the aforementioned Ord. Nos. 8206, 8391, and 9030.