

Chapter 100

ALARM SYSTEMS

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[HISTORY: Adopted by the Village Board of the Village of Black Creek as Title 7, Ch. 10, of the 1987 Village Code. Amendments noted where applicable.]

§ 100-1. Title.

This chapter shall be known as the "Village Alarm Systems Ordinance."

§ 100-2. Declaration of purpose.

The purpose of this chapter is to provide minimum standards and regulations applicable to burglar, fire and holdup alarm systems, alarm business and alarm users. Both society in general and public safety in particular will be aided by providing a useful and usable system of private security which properly balances quick response by law enforcement with minimization of law enforcement time spent on alarms which are false or otherwise not the intended function of private security systems.

§ 100-3. Definitions.

Within this chapter, the following terms, phrases and words and their derivations have the meanings given herein:

ALARM BUSINESS — Any business in which the owners or employees engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, or servicing alarm systems.

ALARM SYSTEM — An assembly of equipment and devices or single device such as a solid-state unit which plugs directly into 110-volt AC line or otherwise receives electrical energy, arranged to signal the presence of a hazard requiring urgent attention and to which the Police Department is expected to respond. In this chapter, the term "alarm system" shall include the terms "automatic holdup alarm system," "burglar alarm system," and "manual holdup alarm system" as those terms are hereinafter defined, and fire alarm systems which

monitor temperature, humidity or any other condition directly related to the detection of fire. Excluded from this definition and from the coverage of this chapter are alarm systems used to alert or signal persons within the premises in which the alarm system is located of an attempted, unauthorized intrusion or holdup attempt, or fire. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

ANNUNCIATOR — The instrumentation on an alarm console at the receiving terminal of a signal line through which both visual and audible signals show when an alarm device at a particular location has been activated, or which, in the event of malfunction, may also indicate line trouble.

ANSWERING SERVICE — A telephone answering service providing, among its services, the service of receiving, on a continuous basis through trained employees, emergency signals from alarm systems and thereafter immediately relaying the message by live voice to the dispatch center serving the Village Police Department.

AUTOMATIC DIALING DEVICE — An alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.

AUTOMATIC HOLDUP ALARM SYSTEM — An alarm system in which the signal transmission is initiated by the action of the robber.

BURGLAR ALARM SYSTEM — Refers to an alarm system which signals an entry or attempted entry into the area protected by the system.

CENTRAL STATION — An office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits.

DIRECT CONNECT — An alarm system which has the capability of transmitting system signals to the Police Department dispatch center.

FALSE ALARM — The activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system, or of his employees or agents or other undetermined cause. "False alarm" does not include alarms caused by tornadoes or other violent climatic conditions.

INTERCONNECT — 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.

MANUAL HOLDUP ALARM SYSTEM — Refers to an alarm system in which the signal transmission is initiated by the direct action of the person attacked or by an observer thereof.

PRIMARY TRUNK LINE — A telephone line leading directly into the dispatch center of the Village Police Department that is for the purpose of handling emergency calls on a person-to-person basis and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory or numbers in sequence therewith.

SUBSCRIBER — A person who buys or leases or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm system.

§ 100-4. Administrative rules.

The Chief of Police, in cooperation with the County Sheriff's Department, shall promulgate such rules as may be necessary for the implementation of this chapter. Such rules shall require the approval of the Village Board and shall be open to inspection by the public.

§ 100-5. Automatic dialing devices.

No person shall interconnect any automatic dialing device to a law enforcement department primary trunk line. No person shall permit such devices which were installed prior to the effective date of this chapter to remain interconnected from any property owned or controlled by that person. Such devices may be connected to a central station or an answering service. Relaying messages so received to the Police Department shall only be done person to person on the telephone line.

§ 100-6. Direct connections to Police Department.

Direct connections to the Police Department are prohibited.

§ 100-7. Testing.

- A. No alarm business or alarm system designed to transmit emergency messages to the Village Police Department shall be tested or demonstrated without prior notification of the Police Department dispatcher. Alarm business or alarm system owners or lessors will be advised on proper test procedure.
- B. No alarm system relayed through intermediate services to the Police Department will be tested to determine the Village Police Department's response without first notifying the appropriate authority.

§ 100-8. Notification.

When the service provided by an alarm business to its subscribers is disrupted for any reason by the alarm business, or the alarm business becomes aware of such disruption, it shall promptly notify its subscribers by telephone that protection is no longer being provided. If, however, the alarm business has written instructions from its subscriber not to make such notification by telephone during certain hours, the alarm business may comply with such instructions.

§ 100-9. Fee for answering alarms. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

There is hereby imposed a fee for law enforcement response to any alarm resulting from the activation of an alarm system, except when law enforcement finds that an unauthorized person is on the premises, was seen on the premises immediately before the alarm was activated, or that there is fresh evidence of forceful entry or attempted forceful entry. There shall be no fee for the first and second response in any calendar year, and a fee as set forth in the General Fee Schedule, on file in the Village offices, for the third and all further responses in that calendar year. The fee is inapplicable when the alarm is caused by a tornado or other violent climatic conditions. This fee is imposed whether the Police Department receives the alarm by direct notice or through an intermediary, such as an answering service or central station. Failure to pay the stated fee within 30 days of receipt of the bill shall be grounds for a refusal of police services in regards to future alarms being received. However, before any refusal or no service is given, the Chief of Police shall receive approval from the Village Board.

§ 100-10. Termination of direct connection.

The Chief of Police is authorized to require that the owner or lessee of any alarm system directly connected to the Police Department or primary trunk lines shall disconnect such device within 30 days after passage of this chapter.

§ 100-11. Village liability.

The Village shall be under no duty or obligation to a subscriber or to any other person concerning any provision of this chapter, including, but not limited to, any defects in an alarm system or any delays in transmission or response to any alarm; however, this in no way shall be construed that it is not the proper function of law enforcement to respond to alarms.

§ 100-12. Permits for private alarm systems.

- A. Permit required. A permit is required for each private alarm system on premises within the Village. There shall be a permit fee as set forth in the General Fee Schedule, on file in the Village offices. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. Interior alarms. A permit under this chapter is not required for an alarm system which gives a signal, visual or audible or both, solely within the interior of the building in which it is located.
- C. Issuing authority. The issuing authority for permits shall be the Chief of Police.
- D. Application. Application for permit required under this chapter shall be filed with the Chief of Police. The Chief of Police shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the permit application. The Chief of Police shall deny a permit if the alarm system for which it is sought does not comply with this chapter.

- E. Appeal. Any person required by this chapter to have a permit who has been denied such a permit by the Chief of Police shall have a right to appeal that decision to the Village Board. The procedure for this appeal shall be as set forth in § 100-13.

§ 100-13. Hearing; permit revocation.

- A. Hearing. Before a permit issued pursuant to this chapter may be revoked, a hearing shall be held before the Chief of Police. Notice setting forth the time, place and nature of the hearing shall be sent by mail or delivered to the permittee at the address shown on the permit application not less than seven days prior to the hearing.
- B. Grounds for revocation. The Chief of Police may revoke a permit on the following grounds:
- (1) The application for a permit contains a false statement of a material fact.
 - (2) A licensee has repeatedly failed to comply with the provisions of this chapter.
 - (3) An alarm system repeatedly actuates false alarms.
- C. Appeals. Any permittee may appeal the decision of the Chief of Police by filing a written notice of appeal with the Village Clerk-Treasurer within 10 days after the decision. Such appeal shall be heard by the Village Board within 30 days after filing the appeal. The Village Board may affirm, amend or reverse the decision or take other action deemed appropriate. An appeal timely taken suspends the revocation until the Board gives its decision. The Village Clerk-Treasurer shall give written notice of the time and place of the hearing to the appellant by certified mail or personal delivery not less than seven days before the hearing. In conducting the hearing, the Village Board shall not be limited by the technical rules of evidence.

§ 100-14. Violations and penalties.

- A. Any person who shall violate any section of this chapter shall be subject to a penalty as provided in § 1-4, General penalty, of this Code.
- B. When any premises located in the Village is owned, leased, or occupied by two or more persons as joint tenants, tenants in common, joint lessees, or in any other manner, each person shall see that the provisions of this chapter are complied with, and each person may be subjected to a penalty on violation of this section.
- C. In addition to a forfeiture, any person using a private alarm system whose false alarm requires a response to the premises by the Village Police Department, Chief of Police or Village personnel shall be subject to payment of false alarm fees as provided in § 100-9.