

CHAPTER 102: FALSE ALARMS

Section

- 102.01 Definitions
- 102.02 General regulations
- 102.03 Defenses

- 102.99 Penalty

§ 102.01 DEFINITIONS.

"ALARM SYSTEM." Any mechanical or electrical device or series of devices designed or used for the detection of an unauthorized entry into a building, structure or facility, or for alerting others of the commission of an unlawful act within a building, structure or facility, or both; and which emit or transmit a remote or local audible, visual or electronic signal or message when activated alarm systems include, but are not limited to, systems interconnected with a radio frequency method such as cellular or private radio signals, direct-dial telephone devices, audible alarms, and proprietor alarms. Devices which are not designed or used to register alarms that are audible, visible or perceptible outside of the protected buildings, structure or facility are not included within this definition, nor are auxiliary devices installed by the telephone company to protect telephone company systems which might be damaged or disrupted by the use of an alarm system. Alarm system does not include audible alarms installed or affixed to automobiles or on someone's person.

"ALARM USER." Any person or business entity who uses or is in control of an alarm system located on that person's or entity's premises or who has contracted for monitoring, repair or maintenance service from an alarm company for an alarm system.

"CANCELLATION OR ALARM DISPATCH CANCELLATION." The process by which an alarm company providing monitoring services verifies with the alarm user or responsible party that a false dispatch has occurred and communicates the verification to the responding law enforcement agency confirming that there is not an existing situation at the alarm site requiring law enforcement response.

"DURESS ALARM." A silent alarm system signal generated by the manual activation of a device intended to signal a life threatening situation or a crime in progress requiring law enforcement response. A "DURESS ALARM SIGNAL" is generally not verified.

"FALSE ALARM." An alarm dispatch request to a law enforcement agency when the responding officer finds no evidence of a criminal offense or attempted criminal offense after having completed an investigation of the alarm site.
(Ord. 20:2011, passed 6-13-11)

§ 102.02 GENERAL REGULATIONS.

(A) All calls for service initiated by alarm systems shall be entered into CAD by the Morehead Police Department.

(B) If a call is determined to be a false alarm, then the Chief of Police or his/her designee shall complete a search on every alarm system call for the calendar year to verify if multiple false alarms have occurred in the calendar year for the address.

(C) If the department has received two (2) false alarms in a calendar year from the same address, the Chief of Police or his/her designee shall notify the respective business, entity or home owner by certified letter requesting an alarm inspection by the alarm company. The owner shall be advised that subsequent false alarms within said calendar year may subject the business or home owner to a civil fine and suspension of service.

(D) Four (4) or more false alarms shall result in penalties as set forth in § 102.99.

(Ord. 20:2011, passed 6-13-11) Penalty, see § 102.99

§ 102.03 DEFENSES.

It shall be an affirmative defense to a False Alarm Notice of Violation that the false alarm was caused by an act of God, common cause, action of a telephone company, telephone line outage, power outage lasting more than the life of a fully charged battery, and other extraordinary circumstances not reasonably subject to control by the alarm user.

(Ord. 20:2011, passed 6-13-11)

§ 102.99 PENALTY.

(A) For any alarm system that has four (4) or more false alarms in a calendar year at the same address, the owner shall be issued a Notice of Violation by a Code Enforcement Officer. If the Notice of Violation is not contested, the following civil fines shall apply:

Fourth False Alarm	\$ 25.00
Fifth False Alarm	\$ 60.00
Sixth False Alarm	\$125.00
Seventh False Alarm	\$200.00

(B) If the owner contests the citation and request a hearing before the Code Enforcement Board or fails to pay the penalty within the time period allowed, the following maximum penalties may be imposed at the discretion of the Code Enforcement Board:

Fourth False Alarm	\$ 50.00
Fifth False Alarm	\$100.00
Sixth False Alarm	\$200.00
Seventh False Alarm	\$300.00

(C) If there is an eighth false alarm, then the address shall be placed on a listing of addresses for "No Calls of Service Initiated by Faulty Alarm Systems". This listing shall be maintained and controlled by the Chief of Police or his/her designee. All dispatchers shall be

made aware of the listing. An address that has been placed on the listing for "No Calls of Service" shall be returned to normal status if the system owner can demonstrate with documentation that the malfunctioning system has been repaired or replaced and all penalties have been paid in full. The status change must be approved by the Chief of Police or his/her designee.

(Ord. 20:2011, passed 6-13-11)