

Chapter 5.04

ALARMS

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5.04.010 **Definitions.**

As used in this chapter:

"Alarm agent" means any person employed by an alarm business whose duties include the altering, installing, leasing, maintaining, repairing, replacing, selling, servicing, or responding to an emergency alarm system, or who causes any of these activities to take place.

"Alarm business" means any business operated by a person for profit which engages in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, servicing, or responding to an emergency alarm system or causing any of these activities to take place.

"Alarm coordinator" means the individual designated by the chief of police to administer the provisions of this chapter.

"Annunciator" means the instrumentation of an alarm console at the receiving terminal of a signal line which, through both visual and audible signals, shows when an alarm device at a particular location has been activated.

"Automatic dialing device" means 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.

"Central station monitored system" means a system in which the operation of electrical protecting circuits and devices are signaled automatically to, recorded in, and supervised from a central station having trained operators in attendance at all times.

"Direct connect system" means an alarm system which has the capability of transmitting alarm signals, via leased telephone lines, to an alarm annunciator at an agency maintained by the local government.

"Emergency alarm system" means an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention of the Sioux City police department.

"Equipment supervising device" means any device utilizing an alarm system to signal the existence of a situation or condition not directly related to the detection of an intrusion, or any hazard to which a tax-supported emergency service would not ordinarily be expected to respond.

"False alarm" means the activation of an alarm system caused by mechanical or electronic failure, improper installation, equipment malfunction or the negligence of the user or operator, except the following shall not be considered false alarms:

A. Alarms caused by the malfunction or failure of the monitoring equipment located at a tax-supported dispatch facility;

B. Alarms caused by damage to, or by the testing or repair by the telephone company of telephone equipment or lines;

C. Alarms caused by an extraneous accident, or an act of God such as earthquakes, flood, or violent windstorm;

D. Alarms intentionally caused by the resident, owner, or employee acting under the sincere belief that a need exists to call for emergency service;

E. Alarms followed by an immediate call or signal to the dispatching center canceling the alarm; such call having been made prior to the arrival of the emergency service.

"Local alarm systems" means a signaling system which, when activated, causes an audible and/or visual signaling device to be activated in or on the premises within which the system is installed.

"Medical alert" means a device attached to the alarm system for the express purpose of summoning emergency medical help.

"Primary trunkline" means a telephone line leading directly into a communications center 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.

"Proprietary alarm system" means an alarm system sounding and/or recording alarm and supervisory signals at a control center under the supervision of the proprietor of the protected premises with the intent of summoning personnel employed by the proprietor and not any tax-supported emergency services.

"Secondary trunkline" means a telephone line leading into the Sioux City police department that is identified by a specific listing in the telephone directory for handling administrative and other calls on a person-to-person basis.

"Special trunkline" means a telephone line leading into the dispatching center having the primary purpose of handling emergency services or messages originating from automatic dialing devices. (Prior code § 4.0501)

5.04.020 Alarm user permits.

A. Every alarm user shall obtain from the finance officer within ninety (90) days after the effective date of this chapter a nontransferable alarm user permit for each alarm system. There shall be a Twenty Dollar (\$20.00) permit fee for the first calendar year for which a permit is obtained for an alarm system. The annual renewal fee for an alarm user permit shall be Ten Dollars (\$10.00). This alarm permit fee shall be used for law enforcement. All alarm user permits will expire on December 31st, of each year.

B. Alarm systems in service at the time of the effective date of this chapter are exempt from the payment of the initial permit fee for alarm user permits but will be subject to renewal fees.

C. The alarm user applying for an alarm user permit shall state on a permit application form, the user's name, the address of the residence or business or businesses upon which the alarm system has been or will be installed, the user's telephone number, the alarm business or businesses selling, installing, monitoring, inspecting, responding to, and/or maintaining the alarm system and the name and telephone number of at least one other person who can be reached at any time who is authorized to respond to an alarm signal and who can open the premises in which the system is installed.

D. The information contained in an alarm user permit application and other information received by the city from an alarm user or his or her agent shall be maintained in confidence by the city to the degree permitted by applicable state and federal law. The information is restricted to inspection only by the police chief, the alarm coordinator, or employees specifically assigned the responsibilities of handling and processing alarm user permits in the course of their official duties. (Prior code § 4.0502)

5.04.030 Exemptions.

The city and all alarm users who in cooperation with the North Sioux City police department control an alarm system owned by the North Sioux City police department, shall not be subject to the terms and conditions of this chapter. Other government agencies are subject to this chapter with the exception of permit fees and fines. (Prior code § 4.0503)

5.04.040 Automatic dialing systems.

No unauthorized automatic dialing devices shall be interconnected to any trunk lines within the North Sioux City police department. All such devices interconnected to the North Sioux City police department shall be disconnected by the owner or lessee of such device within ninety (90) days after the effective date of this chapter. (Prior code § 4.0504)

5.04.050 Local alarm systems.

All emergency alarm systems equipped with any exterior sound-producing device shall within ninety (90) days of the effective date of this chapter be equipped with a timing device which limits the operator of an exterior sound-producing device to fifteen (15) minutes. (Prior code § 4.0505)

5.04.060 Equipment supervision devices.

No person shall connect an alarm supervision or managing device to an alarm system which will cause the response by a tax-supported emergency service. (Prior code § 4.0506)

5.04.070 Operational requirements.

A. All systems installed after the effective date of this chapter, excluding proprietary systems, must be so installed, that if the source of power fails, the system will not cause a false alarm, due to power failure, within four hours.

B. Beginning ninety (90) days after the effective date of this chapter, previously installed alarm systems must be so modified that if the main source of power fails, the system will not cause a false alarm, due to power failure, within four hours.

C. All systems installed after the effective date of this chapter must have a means to test the detection circuits prior to arming. (Prior code § 4.0507)

5.04.080 Suspension of alarm user permits.

Sixty (60) days after the effective date of this chapter, the following limits are established for each alarm system:

A. Upon receipt of the third false alarm within a calendar year, a warning notice shall be issued by the alarm coordinator to the alarm user and the alarm business monitoring the system. Upon any additional false alarms, a causation report must be filed with the alarm coordinator by the alarm user within ten (10) days of the alarm.

B. Upon receipt of the fourth false alarm within a permit year, the alarm user shall be subject to the following service fees to be paid to the finance officer within ten (10) days after notice that it is due:

1. 4th false alarm	\$ 25.00
2. 5th false alarm	25.00
3. 6th false alarm	25.00
4. 7th false alarm	25.00
5. 8th false alarm	35.00
6. 9th false alarm	35.00
7. 10th false alarm	50.00
8. 11th false alarm	50.00

C. Upon receipt of the twelfth false alarm within a permit year, a notice of suspension shall be issued by the alarm coordinator to the alarm user and the alarm business maintaining the system. The notice shall be sent by regular mail and shall be effective ten (10) days after postmarked date of the notice. Such suspension shall be effective until certification by the chief of police or his or her designee that the problems or fault with the alarm system, resulting in the occurrence of false alarms, have been corrected or until reinstatement of the alarm user permit by the alarm permit suspension appeals board.

D. The failure of the alarm user to pay any of the services or permit fees within the time specified in this chapter will result in alarm permit suspension until such payments are made. The

pendency of a suspension appeal before the alarm permit suspension appeals board will tell the period of payment of the service fee relating to such suspension.

E. For accounting purposes, all false alarms in a twenty-four (24) hour period (from noon to noon), with a maximum of three, will be counted as one. Any additional alarms during that period will be counted as additional false alarms.

F. For the purpose of this section, the schedule of false alarms shall become effective sixty (60) days or three false alarms after installation of a new alarm system. During this grace period, false alarms will not be chargeable under this section. (Prior code § 4.0508)

5.04.090 Alarm permit suspension appeals board.

A. There is created a three-member alarm permit suspension appeals board which will serve to hear appeals taken from suspensions pursuant to this chapter, other than for nonpayment of service or permit fees, or decisions of the chief of police pertaining to the reinstatement of a permit following a suspension. The membership of the board will consist of a member of the North Sioux City police department designated by the chief of police, one resident of the city appointed by the city council having electronic knowledge and having no economic interest in an alarm business, and one person having no interest in the pending suspension appeal to be selected by lot by the chief of police from a list of alarm business representatives appointed by the city council to serve on the alarm permit suspension appeals board. The members of the board appointed by the city council shall serve three-year terms. Any appointed member may be removed upon majority vote of the city council.

B. All appeals to the alarm permit suspension appeals board shall be filed with the chief of police by the alarm user permittee, in writing, within ten (10) days of the effective date of the decision from which appeal is taken and shall specify the decision appealed from and the grounds of such appeal.

C. Within seven days of the receipt of an appeal, the alarm permit suspension appeals board shall fix the time, which shall not be less than five, nor more than twenty (20) days thereafter, and the place for hearing the appeal and shall notify the parties in writing of the time and place so fixed.

D. Upon the hearing of appeals pursuant to this chapter, the alarm permit suspension appeals board may affirm, modify, or reverse any decision of the chief of police upon its merits pertaining to such matters for which appeals are permitted under this chapter. (Prior code § 4.0509)

5.04.100 Probation period upon reinstatement of alarm permits.

On the effective date of reinstatement of an alarm user permit, the alarm user will be allowed five false alarms during the remainder of the permit year upon receiving the sixth false alarm during the same permit year, the permit will be suspended immediately. (Prior code § 4.0510)

5.04.110 Violations--Penalties.

Any person convicted of a violation of any of the provisions, or failing to comply with the mandatory requirements of this chapter, shall be guilty of a public offense and be punished up to a maximum Five Hundred Dollar (\$500) fine, thirty (30) day maximum jail sentence or both. (Prior code § 4.0511) (Amended 2007)