

**CITY OF CENTERVILLE
STATE OF GEORGIA
COUNTY OF HOUSTON**

Ordinance No. 2008- 10

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF "CENTERVILLE" GEORGIA DELETING CITY ORDINANCE SECTION 11-18 "ERRONEOUS ALARMS" IN ITS ENTIRETY, AND CREATING A NEW PART II, CHAPTER 19, SECTIONS 1-20, "EMERGENCY SERVICES," PROVIDING FOR CODIFICATION AND SEVERABILITY; AND TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE, AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, the Centerville Police Department responds to all dispatched calls resulting from security system alarms within local businesses and residences; and

WHEREAS, necessary and proper expenses are reasonably budgeted by the Centerville Governing Authority for the provision of police protection by the Centerville Police Department in the interest of the public health, welfare, and safety of the local businesses and residents of the City of Centerville; and

WHEREAS, inappropriate and unnecessary expenses are incurred by the City of Centerville through dispatch of the Centerville Police Department in response to multiple erroneous alarm calls; and responding to erroneous alarm calls is costly and time consuming for the City of Centerville; and

WHEREAS, in 2006, the Mayor and Council of the City of Centerville amended Section 11-18 to address the problem of erroneous alarm calls in a less punitive manner by lowering the fines associated with erroneous alarms; and

WHEREAS, like Section 11-18, the intent of this Ordinance amendment is not primarily punitive but is intended to encourage local businesses to continue to work with their alarm companies to reduce or prevent repetitive erroneous alarm calls as well as providing information that will assist the Police Department with a means of identifying problem alarm systems; and

WHEREAS, requiring property owners to register their alarm systems will also allow the City to compile and maintain a database of contacts associated with the individual property; and,

WHEREAS, many area municipalities already require property owners to register their alarm systems with the City in an effort to combat the waste and inefficiency associated with repeated erroneous alarm calls by encourages those with alarm systems to work with their alarm companies to reduce or prevent repetitive erroneous alarm calls;

NOW, THEREFORE, be it ordained that City Ordinance Section 11-18 be deleted in its entirety and replaced by the following text, which shall be codified as Part II, Chapter 19, Sections 1 through 20:

PART II Code of Ordinances

Chapter 19 Emergency Services

Article I. IN GENERAL.

Sections. 19-1 through 19-5. Reserved.

Article II. BURGLAR ALARMS.

Section 19-6. Intent.

This section is intended to protect the health, safety, and welfare of the people of the City of Centerville by preventing the misuse of police protection resources caused by false alarms and telephone alarm devices, thereby allowing these resources to be accessible and available in the event they are truly needed by the members of the community.

Section 19-7. Definitions.

The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm means any device which is used in a building or on premises for the detection of unauthorized entry, burglary, or any other criminal activity, and which when activated, emits a sounds, signal, or message to alert others, whether emitted on or off the premises or to the central office of an alarm business.

Alarm business means any person engaged in the business of selling, leasing, monitoring, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm for any building, place, or premises.

Alarm user means any person using an alarm or occupying and controlling a premises or building, or a portion of a premises or building, served by an alarm.

Class "A" alarms means all those alarms activated by illegal entry or in response to criminal activity and includes alarms activated solely by an act of nature not contributed to by faulty design, maintenance, installation, or use.

False alarms means all activate alarms, responded to by the police department, which do not qualify as class "A" alarms, including but not limited to, alarms activated through inadvertence, neglect, accident, alarm testing, and faulty installation or maintenance.

Section 19-8. Alarm permit required.

No person or business shall have an alarm installed and operational, or use an existing alarm system serving a premises or a building, or portion thereof, occupied or controlled by such person, unless an alarm permit in the form of a decal has been issued under this division, and is in force, authorizing the use of such alarm. The alarm permit shall constitute a regulatory license. For any alarm existing prior to the effective date of this ordinance, an alarm permit shall be made within sixty (60) days of such effective date.

Section 19-9. Application for alarm permit.

- (1) Application for alarm permits shall be made to the City Clerk's office on forms provided by the city. The application shall be signed by the alarm user and shall provide the following information:
 - (a) Name, address, and telephone number(s) of the alarm user;
 - (b) Address and telephone number for the alarm user's premises or building to be served by the alarm;
 - (c) The name, address, and telephone number of the person(s) in charge of the premises or building served by the alarm;
 - (d) The name, address, and telephone number of the person or entity installing such alarm;
 - (e) The name, address, and telephone number of the person or entity monitoring the alarm;

- (f) The name, address, and telephone number of the person or entity providing maintenance and repair service to such alarm;
- (g) An agreement by the alarm user, binding upon the alarm user's heirs and assigns or successors in interest, to promptly pay or lawfully contest any penalties assessed against the alarm user for an excessive number of false alarms as described in this Ordinance.

(2) An amended application shall be filed within ten (10) days after any change in the information provided in such application. Upon such amendment, a new alarm permit shall be issued.

Section 19-10. Term of permit; fee; non-proratable; non-transferability.

- (1) An alarm permit shall have be issued for a term of one calendar year, specifically from January 1st through December 31st of each year. Any alarm permit issued after January 1st of each year shall not be prorated, but shall expire on December 31st of the year issued, regardless of the date of issuance.
- (2) The City shall charge the alarm user a \$25.00 fee per year for each permit issued, including successive renewal permits. The fee shall be utilized to defray the City's administrative costs associated with carrying out the provisions of this ordinance.
- (3) The City shall charge the alarm user a \$5.00 fee for any amendment to an existing valid permit.
- (4) Any alarm permit issued pursuant to this division shall not be transferable or assignable and shall cover only one building or premises.

Section 19-11. Decal required.

Each alarm permit holder shall be issued an alarm decal by the City Clerk's office. The decal shall be affixed and displayed in a conspicuous place visible from the outside of the building or premises covered by the permit.

Section 19-12. Excessive false alarms declared a public nuisance.

The emission of more than three false alarms within an alarm permit term, as described in Section 19-10.1, is excessive and constitutes a serious nuisance, and is hereby declared to be unlawful and a violation of this Ordinance. No person shall allow, permit, cause, or fail to prevent the emission, for any reason, by any alarm in use by him/her, or any alarm serving a premises or building occupied and controlled by such person, of more than three false alarms within the permit term.

Section 19-12. False alarm service charge; collection/

- (1) For response by the police department to excessive false alarms, the alarm user will be subject to charges for all false alarms after the first three within the same alarm permit period (January 1st through December 31st of each calendar year) as follows:
 - (a) \$25.00 for the fourth false alarm;
 - (b) \$50.00 for the fifth false alarm;
 - (c) \$100.00 for the sixth false alarm;
 - (d) Fine amount up to \$1000.00 at the Centerville Municipal Court Judge's discretion for all successive false alarms after the sixth false alarm in the same alarm permit period.
- (2) Notice of any sums assessed under this code section will be delivered in writing to the owner or operator of the alarm system and are is due and payable within thirty (30) days of the date of the assessment. If payment in full is not made within thirty (30) days of such assessments, the owner or operator of the alarm

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system subject to the assessment may be summoned to appear in Centerville Municipal Court and charged with a violation of this section.

- (3) Business license renewal applications may be denied until all monies due and payable under this section have been paid in full.

Section 19-13. Interference with police department telephone trunk lines prohibited; alarm business central office information required; identification required.

- (1) No person shall use or cause to be used, any telephone or electronic device or attachment that automatically selects a public primary telephone trunk line of the police department or any other department or bureau of the city, and then reproduces any prerecorded message to report any burglary, unauthorized entry; or other emergency.
- (2) No person shall provide a private alarm service system programmed to a central alarm reception office unless such central office is staffed at all times, 24 hours a day, including holidays.
- (3) Any staff member of a private alarm service system reporting an alarm activation to which police response is requested shall identify himself/herself and state the name and telephone number of the alarm business by which such response is requested.

Section 19-14. Audible alarms.

All alarms which may be heard in any public place shall be equipped and maintained to automatically cut off no longer than thirty (30) minutes after being set off.

Sections 19-15 through 19-20. Reserved.

EFFECTIVE DATES: The effective date of this ordinance amendment shall be January 1, 2009 for all provisions except that fees, as set out in sections 19-10(2) and 19-10(3) shall not begin to be charged until January 1, 2010.

CONFLICTING ORDINANCES: In the event that any ordinance, or any part thereof, of the City of "Centerville", Georgia is in conflict herewith, this ordinance shall have preference.

SEVERABILITY: If any provisions of this ordinance be held invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end the provisions of this ordinance are declared to be severable.

SO ORDAINED, this 2 day of December, 2008, by majority vote of the Governing Authority at a lawfully advertised, open meeting of the Mayor and Council of Centerville with a quorum being present at the meeting.

CITY OF "CENTERVILLE", GEORGIA

BY: 

MAYOR H.M. EDWARDS, JR.

ATTEST: 

KRISTA BEDINGFIELD, CITY CLERK