

Chapter 30

EMERGENCY SERVICES*

Article I. In General

Secs. 30-1—30-30. Reserved.

Article II. Burglar and Fire Alarm Systems

- Sec. 30-31. Short title.
- Sec. 30-32. Purpose and definitions.
- Sec. 30-33. License required.
- Sec. 30-34. Penalties for violation.
- Sec. 30-35. Application for license/user permit.
- Sec. 30-36. Automatic dialing service/interconnection to primary trunkline.
- Sec. 30-37. Testing equipment.
- Sec. 30-38. Applicability of article.
- Sec. 30-39. Differentiation of burglar and hold up alarms mandatory.
- Sec. 30-40. Backup power system.
- Sec. 30-41. Local alarm for burglar and/or hold up alarm.
- Sec. 30-42. False alarms prohibited.
- Sec. 30-43. Alarm system deactivation requirement.
- Sec. 30-44. Charges for responses to false alarms and reports.
- Sec. 30-45. Suspension or revocation of alarm system license.
- Sec. 30-46. Determining factors for suspension/revocation.
- Sec. 30-47. Appeal procedure.
- Sec. 30-48. Transfer of alarm permit/license prohibited.

*Cross references—Businesses, ch. 22; civil emergencies, ch. 26; fire prevention and protection, ch. 34; law enforcement, ch. 42.

ARTICLE I. IN GENERAL

Secs. 30-1—30-30. Reserved.

ARTICLE II. BURGLAR AND FIRE ALARM SYSTEMS

Sec. 30-31. Short title.

This article shall be known, and may be cited as, the security alarm service ordinance, regulating burglar, hold up, panic and duress alarms, and other security alarm systems and users. (Code 1977, § 3.21(A); Ord. No. 97-82, 7-7-1997)

Sec. 30-32. Purpose and definitions.

(a) *Purpose.* The purpose of this article is to provide minimum standards and regulations applicable to police alarm systems and alarm users.

(b) *Definitions.* The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm systems means a security device installed for the purpose of alerting others to a police emergency requiring urgent attention, such as an unauthorized entry onto the premises, the commission of an unlawful act, or a fire emergency, and to which police are expected to respond. Fire alarm systems, industrial or supervisory alarm systems monitoring temperature, humidity or any other condition not directly related to police functions are excluded from the provisions of this article.

Alarm user means any person on whose premises an alarm system is maintained within the village except for alarm systems on motor vehicles or proprietary systems. If, however, an alarm system on a motor vehicle is connected with an alarm system at a premises, other than a proprietary system, the person using such system is an alarm user. Proprietary systems, self-contained systems alerting on premises only, are also exempted by this article.

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, or indicating line trouble.

Answering service means a telephone 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 communication center of the police department.

Automatic telephone/dialing alarm means a telephone device or attachment which automatically relays a taped or prerecorded message to report a robbery, burglary or fire emergency by means of a regular or 911 emergency telephone line (primary trunk line) which terminates upon a central switchboard.

Burglar alarm (also known as intrusion alarm) means and designates an attempted or successful but unlawful entry onto or into a premises, activating such alarm.

Central station means an office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits, and guards are maintained continuously to investigate signals.

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

Direct connect means an alarm system which has the capability to transmit and receive system signals to and from an agency maintained by the local government, such as a police communications center.

Duress alarm means a special coded alarm used during the forced shut down of an alarm system by coercion, such code being entered to alert the central station that there is a police emergency in spite of a normal shut down.

False alarms means an alarm system activated by any one or more of the following causes:

- (1) Mechanical failure.

- (2) Malfunction of the alarm system.
- (3) Improper installation or maintenance of the alarm system.
- (4) Willful or negligent act of a person under the control or direction of the licensee of an alarm system.
- (5) Any other cause not related to an actual or attempted unauthorized entry on the premises, the commission of an unlawful act or a fire emergency, provided, however, that any alarm activated by natural causes including, but not limited to, tornadoes, and severe windstorms, or by malicious acts of persons not under the direction or control of the licensee of an alarm system or any other cause clearly beyond the control of the licensee shall not be considered a false alarm.

Local alarm system means a signaling system which when activated, causes an audible and or visual signal device to be activated in or on or about the premises within which the system is installed. Also for purposes of this article, it refers to that type of alarm system that is designed to alert persons at the premises of an intrusion. This system may also include audible inside or outside ringers, bells or sirens with or without accompanying lights, and can be heard by persons inside or outside the premises to include the general public.

Panic or hold up alarm means an alarm that is tripped by personnel present at the location of the alarm designating a police emergency requiring urgent attention due to robbery, assault or some other unlawful act.

Primary trunk line means a telephone line leading directly into a communications center of the police department that is for the purpose of handling emergency and nonemergency calls on a person to person basis, to include 911 emergency lines or regular published nonemergency lines covering the service area within the police/fire department jurisdiction.

Proprietary system means an alarm system sounding and/or recording alarm signals at a control center located within the protected premises, and the control center being under the

supervision of the proprietor of the premises. If the proprietary system includes a signal alarm connected directly or by means of an automatic dialing device to a police communications center, a central station, modified central station, or an answering service, it thereby becomes an alarm system as defined in this article.

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

Subscriber means a person who buys, leases, or otherwise obtains an alarm signaling system and thereafter contracts with or hires an alarm business to monitor or service the alarm.
(Code 1977, § 3.21(B); Ord. No. 97-82, 7-7-1997)

Cross reference—Definitions generally, § 1-2.

Sec. 30-33. License required.

It shall be unlawful for any person, firm or corporation to install or maintain an alarm system designed or intended to be used for an unauthorized entry on the premises, the commission of an unlawful act or any other emergency at the premises when such alarm system is located without first having obtained a license from the village.
(Code 1977, § 3.21(C); Ord. No. 97-82, 7-7-1997)

Sec. 30-34. Penalties for violation.

- (a) Any person who:
- (1) Fails to register an alarm system before using it as required by this article, or seeking compliance;
 - (2) After having a permit or license revoked or suspended, and after exhausting his rights to a hearing and appeal with the village administrator, fails to disconnect the alarm system; or
 - (3) Violates any of the other provisions of this article constituting an offense;

may be punished by fine of from \$50.00 to the maximum amount specified in section 1-11 of this Code.

(b) Each day that such violation continues after the expiration of the period allowed for compliance under the provisions of this article shall constitute a separate offense.

(Code 1977, § 3.21(D); Ord. No. 97-82, 7-7-1997)

Sec. 30-35. Application for license/user permit.

The application for license or user permit as required in this article shall be filed at the village hall and with the chief of police or his designee. The application shall be made on forms provided by the police department and shall contain the following information:

- (1) Name and address of the applicant.
- (2) Name and address of the premises where the alarm system is located.
- (3) The names, addresses and telephone numbers of at least three persons, if a business; and two persons, if private residence, responsible for the premises where the alarm system is located and who should be contacted to deactivate the alarm system.
- (4) The name, address and telephone number of the person, firm or corporation authorized to deactivate the alarm system when no person listed in subsection (3) of this section can be reached.
- (5) The name, address and telephone number of the person, firm or corporation which installed the alarm system and of the person, firm or corporation responsible for the maintenance and repair of the alarm system.
- (6) The type of alarm system, direct connect to police department or to an outside central station or answering service etc., and whether it is for burglar, intrusion, hold up, panic, or duress alarm purposes.

(Code 1977, § 3.21(E); Ord. No. 97-82, 7-7-1997)

Sec. 30-36. Automatic dialing service/interconnection to primary trunkline.

(a) No automatic dialing device such as taped message or voice activated dialers shall be interconnected to a primary trunkline or 911 emer-

gency line. All automatic dialing devices interconnected to a primary trunkline shall be disconnected from such primary trunkline. Such automatic telephone alarms shall be considered a nuisance and are prohibited. Such mechanisms shall be replaced at the user's expense and replaced with an approved digital dialer or direct connect line to a special trunkline of the village police department or outside alarm service agency. Nothing in this section, however, shall apply to automatic telephone alarms for handicapped persons authorized by the chief of police. A written request for an automatic telephone alarm for a handicapped person will be reviewed by the chief of police or his designee prior to approval.

(b) Automatic dialing devices designed to transmit signals directly to the police department may be interconnected to a special trunkline or direct connect line for alarm purposes into the police department.

(c) In the event a user's equipment fails to perform to the satisfaction of the village and after appropriate tests have been conducted, the users lead in will be disconnected upon written notice to the user.

(Code 1977, § 3.21(F); Ord. No. 97-82, 7-7-1997)

Sec. 30-37. Testing equipment.

No alarm system designed to transmit emergency messages directly to the police department shall be tested or demonstrated without first obtaining permission from the police chief or his designee. Permission is not required to test or demonstrate alarm devices not transmitting emergency messages directly to the police department unless the messages are to be relayed to the police department.

(Code 1977, § 3.21(G); Ord. No. 97-82, 7-7-1997)

Sec. 30-38. Applicability of article.

(a) The provisions of this article shall apply to all subscribers or persons installing alarm systems either using direct connect lines to the police communications center or private connections to outside central service stations or answering services except municipal, county and state agencies exempted by the village board.

(b) The designated alarm service company shall bill and collect from users all connection and position charges. Failure of the users to pay position charges to this designated alarm service company will be reported to the village. In the event that such charges are not paid within 60 days after being billed, the user service may be disconnected upon written notice to the user. The alarm subscriber approved for a direct connect to the police communications center shall be responsible for obtaining the leased telephone line between the subscribers premises and the alarm receiving equipment.

(Code 1977, § 3.21(H); Ord. No. 97-82, 7-7-1997)

Sec. 30-39. Differentiation of burglar and hold up alarms mandatory.

No alarm subscribers shall install or use an existing alarm system, after appropriate notice has been given, that does not differentiate the alarm signal sent to the central receiving station (be it a direct connect to the village police department annunciator panel or another outside answering service) particularizing intrusion or burglar alarms versus hold up, panic or duress alarms. The subscriber shall have installed, at his expense, the appropriate device(s) or phone line system for separation of these types of signals at their location that then therefore isolate the particular signal at the receiving station annunciator panel. For those entities using reverse polarity type lines, two such lines shall be maintained to separate burglary or intrusion alarms from hold up, panic, and duress alarms, commonly set off by intent through working personnel on the premises as opposed to inadvertent trip of the security alarm system by persons engaged in unlawful entry attempts. For entities with fiber optic or digital lines, they shall ensure that separate position codes are programmed by their alarm installer to either the village police station annunciator panel or to their own contracted alarm service agency, so that these signals are differentiated. For multipurpose alarm businesses or private residences, it shall be unlawful to use an alarm signal that only utilizes one board position signaling true alarm status, trouble, or secure only, and not differentiating between situational signals. Upon written notice by the chief of police

the subscriber shall have 90 days to comply with this section. Failure to do so will result in a taken out of service status on the police annunciator panel or official notice to the alarm subscriber and his contracted alarm company that alarm service calls will not be accepted until the system is corrected.

(Code 1977, § 3.21(I); Ord. No. 97-82, 7-7-1997)

Sec. 30-40. Backup power system.

Each alarm user in the village shall provide a source of power (battery backup system) for his alarm system to prevent false alarms due to power failures from the utility company. Such alternate sources of power shall provide power for a minimum of 24 hours.

(Code 1977, § 3.21(J); Ord. No. 97-82, 7-7-1997)

Sec. 30-41. Local alarm for burglar and/or hold up alarm.

The use of an outside ringer is hereby declared a public nuisance and unlawful in the village. No person or business entity shall use a signaling system which when activated causes an audible and or visual signaling device to be activated outside the premises within which the system is installed that causes such signal to be heard by the general public outside the business or residence premises. This section does not apply to a local alarm system that mainly activates signals inside the premises. Specifically precluded from use are outside ringers such as audible bells, audible burglar alarms, police or fire sirens alone or in combination with visible burglar alarm signals using flashing or rotating lights of any color, red, blue or amber.

(Code 1977, § 3.21(K); Ord. No. 97-82, 7-7-1997)

Sec. 30-42. False alarms prohibited.

It shall be unlawful for any person to knowingly, recklessly, or negligently cause the activation of an alarm system used for the purpose of summoning police unless such person knows or suspects that there is an actual or attempted unauthorized entry on the premises, commission

of an unlawful act or fire emergency. For purposes of this article actions of an agent of the principal shall be binding on the principal. (Code 1977, § 3.21(L); Ord. No. 97-82, 7-7-1997)

Sec. 30-43. Alarm system deactivation requirement.

(a) It shall be a mandatory duty that a keyholder respond to every alarm activated, within one hour, where the police responding summon a representative of the entity to help investigate cause. Failure of keyholders to respond to alarm situations at the request of the on scene police officers to deactivate the alarm shall be reported to the chief of police. More than 12 instances in a calendar year recorded of a failure of such response shall be cause for taking the particular alarm subscriber's system out of service. After eight such failures to respond, a warning letter shall be issued advising the proprietor of this section, and that continued absence of a keyholder could lead to suspension of police services for that entity's alarm system.

(b) The person, firm or corporation having an alarm system shall be required to post or cause to be posted, at or near the location where such alarm systems can be deactivated, a notice containing the name, address and telephone number of the person, firm, or corporation responsible for the maintenance and repair of such alarm system. (Code 1977, § 3.21(M); Ord. No. 97-82, 7-7-1997)

Sec. 30-44. Charges for responses to false alarms and reports.

(a) If the village police department responds to more than three false alarms in a calendar year quarter (three-month interval or more than 12 per year) at the same premises, the licensee of such alarm system shall pay the village the following amounts within 30 days after the bill or notice is received. Records will be monitored quarterly and followed by billing for the calendar quarter:

One to two false alarms	No charge
Third false alarm	\$10.00
Fourth false alarm	20.00

Fifth false alarm	50.00
Sixth false alarm	60.00
Seventh to ninth false alarms . . .	75.00
Ten or more false alarms	\$100.00.

(b) Within ten days after the end of a calendar quarter, records will cause a summary report of all false alarms and the noted cause to be sent to the alarm subscriber, along with a bill according to the listed schedule of fines.

(c) Within 15 days after the date of mailing of the above bill and report, the alarm subscriber may file a written request with the chief of police or his designee requesting reconsideration of whether the noted alarms were in fact false. Such written request shall state the licensee's opinion with respect to the cause of the alarm and shall indicate the facts upon which the licensee bases his opinion.

(d) Within five days after the designated person reviews the subscriber's request for reconsideration, the chief of police or designee shall determine whether the alarm was false or not and notify the licensee of his decision in writing that the assessed bill stands or of a modified bill and assessments.

(e) There shall be a 60-day grace period for a new installation determined upon receipt of the alarm user permit application, or when there have been major construction changes to the licensee's premises, before an alarm will be considered a false alarm. (Code 1977, § 3.21(N); Ord. No. 97-82, 7-7-1997)

Sec. 30-45. Suspension or revocation of alarm system license.

(a) If the police department responds to more than 15 false alarms at the same premises in a calendar year, the chief of police may initiate an alarm system license suspension or revocation proceeding by forwarding a written request for such proceeding, along with any and all false alarm reports, to the village administrator.

(b) Suspension/revocation proceedings shall also proceed for failure to pay fines assessed for false alarms if the subscriber fails to pay all bills within 30 days after the close of the calendar year.

Accounts with unpaid balances will be charged a late payment fee. Late fees consist of one percent of the unpaid balance applied to each quarterly bill. This fee will be applied monthly until the balance is paid in full.

(c) When false alarms repeatedly sound at a single location during a 24-hour period creating an undue burden upon the resources of the fire or police departments, the departments shall be authorized to summarily disconnect the alarm or take it out of service from the police communications center. The bureau deputy chief or designee in charge of the police communications center will immediately contact the alarm subscriber experiencing this problem by phone or in person and explain this out of service necessity. It is the burden of the alarm subscriber/licensee to file a written report with the police department as soon as possible thereafter explaining the cause of the repeated alarms and stating that the condition has been rectified. The particular alarm licensee's alarm will remain out of service until this report is given in writing to the police department. For problems such as this, the false alarm fee can be waived by the chief of police in lieu of an extenuating problem that required immediate repair.

(d) Upon receipt of a request from the chief of police, the village administrator shall set a date for a hearing to consider whether a licensee's alarm system license should be suspended or revoked. The village administrator shall cause a written notice to be mailed to the licensee by certified mail, return receipt requested, informing the licensee of such hearing. Such notice shall be mailed at least 15 days prior to the date of such hearing. The village administrator or his designee shall preside at hearings held for the purpose of considering the suspension or revocation of an alarm system license. The chief of police and the licensee shall be permitted to present evidence. The village administrator shall determine whether to suspend or revoke a licensee's alarm system license within 14 days after the close of such hearing and shall notify the licensee of his decision in writing by personal delivery or U.S. mail, return receipt requested. If it is determined by the village administrator's office that such alarm

system be taken out of service (license to use such alarm revoked), such notice shall contain the basis for the decision.
(Code 1977, § 3.21(O); Ord. No. 97-82, 7-7-1997)

Sec. 30-46. Determining factors for suspension/revocation.

In determining whether to suspend or revoke an alarm system license, the village administrator shall consider the following:

- (1) The number of false alarms at the premises.
 - (2) Whether the alarm system licensee has responded to deactivate false alarms within one hour as required previously.
 - (3) The efforts made, if any, by licensee to control, direct and instruct employees with regard to the proper use of the alarm system.
 - (4) The efforts made, if any, by the licensee to repair and maintain the alarm system in proper working order.
 - (5) Any other matter the village administrator deems relevant.
- (Code 1977, § 3.21(P); Ord. No. 97-82, 7-7-1997)

Sec. 30-47. Appeal procedure.

Any licensee aggrieved by the action of the village to suspend any alarm system license to operate shall have the right to appeal to the president of the board of trustees.

- (1) Such appeal shall be made to the village board or designated person, within seven working days after the notice of such decision of the village administrator has been received by licensees. The appeal shall contain a written statement setting forth the grounds for appeal. No licensee may appeal to the village board unless a timely request for a hearing before the village administrator, as set forth in subsection 30-45(d) has been made by such licensee.
- (2) The president and the board of trustees of the village shall set a time and place for a

hearing on such appeal and notice of such hearing shall be given to the applicant in the manner provided.

- (3) At their expense, the appellant shall have the right to be represented at such hearing by legal counsel.
- (4) The decision and order of the president and board of trustees of the village following such appeal shall be final and conclusive.
- (5) No alarm system license shall be revoked or suspended:
 - a. During the pendency of an appeal before the president and the board of trustees; nor
 - b. While litigation is pending in any court challenging the decision of the president and the board of trustees; nor
 - c. While any appeal is pending for any court's action overriding or reversing the board's action; nor
 - d. During the time within which such appeals from a court's action can lawfully be taken.

(Code 1977, § 3.21(Q); Ord. No. 97-82, 7-7-1997)

Sec. 30-48. Transfer of alarm permit/license prohibited.

No alarm system license shall be transferred or assigned to another person, corporation or firm. Each transfer of property through sale of premises, lease or change of business ownership shall be accompanied by a new permit or license for their alarm system. It shall be unlawful for any alarm system licensee to fail or refuse to amend its alarm system application within ten days after any of the information required and contained in the application is or becomes outdated or inaccurate.

(Code 1977, § 3.21(R); Ord. No. 97-82, 7-7-1997)