

## CHAPTER 134

### ALARM BUSINESSES AND USERS

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**134.01 PURPOSE AND DEFINITIONS.** The purpose of this chapter is to provide minimum standards and regulations applicable to burglar and holdup alarm systems, alarm businesses, alarm agents and alarm users as defined in this chapter. For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein.

1. “Alarm agent” means any person employed by an alarm business whose duties include the altering, installing, maintaining, moving, repairing, replacing, leasing, servicing, responding to, or causing others to respond to an alarm device.
2. “Alarm business” means any business which engages in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, servicing or responding to a burglar or holdup alarm system, or which causes any of these activities to take place.
3. “Alarm system” means an assembly of equipment and devices (or a single device such as a solid state unit), arranged to signal the presence of a hazard requiring urgent attention, and to which police or alarm agents are expected to respond. In this chapter, the term “alarm system” includes the terms “automatic holdup alarm system,” “burglar alarm systems,” “holdup alarm systems” and “manual holdup alarm systems,” as those terms are hereinafter defined. Alarm systems which monitor temperature, humidity, or any other condition not directly related to the detection of an unauthorized intrusion into a premises are specifically excluded from the provisions of this chapter.
4. “Alarm user” means any person or business on whose premises an alarm system is maintained within the City, 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 or business using such a system is an alarm user. Also excluded from this definition and from the coverage of this chapter are persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located, of an attempted unauthorized intrusion or holdup attempt. If such a system, however, employs an audible signal, emitting sounds or a flashing light or beacon designed to signal persons outside the premises, such system is within the definition of an alarm system and shall be subject to this chapter.

5. “Answering service” refers to 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 communications center of the Police Department.

6. “Automatic dialing device” refers to 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.

7. “Automatic holdup alarm system” means an alarm system in which the signal transmission is initiated by the action of a person.

8. “Burglar alarm system” refers to an alarm system signaling an entry or attempted entry into the area protected by the system.

9. “Central station” means an office to which alarm systems are connected, where human operators supervise the circuits, and where guards are maintained continuously to investigate signals.

10. “Central station equipment” refers to the signal receiving, recording, retransmitting equipment installed in the central station.

11. “Central station system” means a system in which the operation of alarm systems are signaled automatically to, recorded in, maintained, and supervised from a central station having trained operators and guards in attendance at all times.

12. “Direct connect” means an alarm system which has the capability of transmitting system signals to and receiving them at an agency maintained by the local government, for example, a police communications center.

13. “Direct line” means a telephone line leading directly from a central station to the communications center of the Police Department that is for use only to report emergency signals on a person-to-person basis.

14. “False alarm” means 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. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes or other violent conditions.
15. “Holdup alarm system” refers to an alarm system signaling a robbery or attempted robbery.
16. “Interconnect” means 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.
17. “Local alarm system” refers to 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.
18. “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 of the attack.
19. “Modified central station” means an office to which alarm systems are connected, where operators supervise the circuits. Such modified central station is not listed by Underwriters’ Laboratories.
20. “Primary trunkline” means a telephone line leading directly into the communications center of the 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 issued by the telephone company, and covering the service area within the Police Department’s jurisdiction.
21. “Proprietary system” means an alarm system sounding and/or recording alarm signals at a control center located within the protected premises, the control center being under the supervision of the proprietor of the protected premises. If a proprietary system includes a signal line connected directly or by means of an automatic dialing device to a police communication center, a central station, modified central station or answering service, it thereby becomes an “alarm system” as defined in this chapter.
22. “Remote signaling system” means an alarm signaling system which when activated by an alarm device transmits a signal from an alarm signaling device to a central location, other than the Police Department, where appropriate action is taken to investigate and respond to the signal.
23. “Signal line” refers to the transmission line through which the signal passes from one of the elements of the signal transmission to another.

24. "Special trunkline" means a telephone line leading into the communication center of the Police Department and having the primary purpose of handling emergency signals or messages originating either directly or through a central location from automatic dialing devices.
25. "Subscriber" means a person who buys and/or leases or otherwise obtains an alarm signaling system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm device.
26. "Telephone company" means the utility that furnishes telephone services to the City.
27. The abbreviation "ANSI" stands for the American National Standards Institute.
28. The abbreviation "UL" stands for Underwriter's Laboratories.

#### **134.02 LICENSE FOR ALARM BUSINESS.**

1. Any person intending to commence operation of an alarm business in the City shall, prior to the commencement of any such operation, apply to the Clerk for a license to operate on a form to be furnished by the Clerk. Businesses which sell only those alarm systems excluded from the definition of alarm systems in Section 134.01 of this chapter are not required to obtain a license under this section. Such application shall be signed by the individual proprietor of such business, or by a partner, or by the proper corporate official, as is appropriate for the form of the business seeking the license, and shall include:
  - A. The name, address, and telephone number of the alarm business, and the type of business organization it is (individual, partnership, or corporation). If the business is an individual proprietorship, the name, Social Security number, address, and telephone number of the owner; if a partnership, the name, Social Security number, address, and telephone number of each partner (general, limited, silent, etc.); if a corporation, the names and addresses of the directors, principal officers and stockholders (any stockholder holding more than 20 percent of the corporation's authorized and issued stock), and the state where incorporated.
  - B. Certification, upon receipt of notice of approval of a license application, of a complete list of names and addresses of all persons in the City to whom systems have been leased, installed, or who are currently under contract to the alarm business for services shall be maintained for inspection by the Police Chief during the course of his/her official business.
  - C. A complete list of criminal convictions, if any, except for minor traffic offenses, of the applicant, or a list of criminal convictions, if any, except for minor traffic offenses, of each partner, officer, or local office manager, if the applicant is other than an individual.

D. A statement that the applicant will inform the Clerk within ten (10) days after any substantial change of the information required by this section.

2. License applications shall be accompanied by a nonrefundable fee to be set by resolution of the Council to cover the costs to the City of processing the application and investigating the applicant. Prior to obtaining a license, every applicant shall file in the office of the Clerk, an indemnity bond with a corporate surety authorized to do business in the State of Iowa or an insurance policy issued by a company authorized to do business in the State. Minimum limits of liability of said bond or insurance shall be as provided by resolution of the Council, and said bond or insurance policy shall be issued for a period to cover the life of the license applied for. Failure to maintain such bond or insurance in full force and effect shall be grounds for revocation of the license.

3. If an alarm business is operating or intends to operate a central station, a modified central station, or a telephone answering service, the license application shall so specify. An alarm business which commences operation of a central station, a modified central station, or a telephone answering service, after the effective date of this chapter, must comply with the applicable standards set forth in Sections 134.13, 134.14 and 134.15 of this chapter, and be inspected for such compliance by an appropriate City official (or private professional engineer), before a license may be issued.

4. Alarm businesses which are operating a central station, modified central station, or telephone answering service on the effective date of this chapter shall have two years after such date to conform to the standards required by Sections 134.13, 134.14 and 134.15.

### **134.03 ACTION ON BUSINESS LICENSE APPLICATIONS.**

1. The Police Chief shall cause a report on the applicant to be prepared, based upon the information contained in the application, together with such other relevant information as may be obtained pertaining to the applicant or his/her business.

2. On the basis of this report, the Police Chief shall within sixty (60) days after the receipt of an application for an alarm business, license or an application for renewal, either approve or deny the issuance or renewal of a license. Upon making a decision, he/she shall:

A. In case of approval, notify the applicant in writing of the approval, and inform him/her that upon the presentation of the writing to the Clerk, and the payment of the required fee set by resolution of Council, the applicant will be issued a license to operate.

B. In the case of denial, notify the applicant, in writing, of the denial and of the basis for the denial, which may be in nonconformance with any part of this chapter. If the basis for the denial can be corrected, the writing shall so state and shall explain how these corrections may be made. The notice of denial shall inform the applicant that he/she may appeal the denial and set forth the procedure for appeal. The procedure for appeal shall be as follows:

(1) Within 10 days after receipt of the notice of denial, the applicant shall file a notice of appeal with the Clerk, addressed to the Council, and stating the basis of the appeal.

(2) The Clerk shall cause the applicant to be given notice of the time and the place of hearing before the Council, by mail, at least seven (7) days in advance of the date of the hearing. Notice of such hearing shall also be posted as part of the Council's agenda for that meeting. The applicant may appear before the Council and the applicant or his/her designated representative may make an oral presentation of his/ her appeal, or he/she may make the appeal through a written statement, or both. The Council shall rule on the appeal within seven (7) days after it is heard, and such ruling shall be final.

**134.04 LICENSE RENEWALS.** Each year by July 1, each alarm business having a license to do business in the City shall make application with the Clerk to renew its license by filing an application for renewal on an appropriate form provided by the City. The application for renewal shall list any changes in the information contained on its application for a license or since its last renewal. The application for renewal shall be accompanied by a fee to be set by resolution of the Council. No refunds of license fees provided in this chapter shall be made.

**134.05 REVOCATION OF ALARM LICENSES.**

1. In addition to any penalties which may be imposed for the violation of certain provisions of this chapter, the City may, pursuant to the provisions of this section, revoke the license of an alarm business on any of the following grounds:

A. Fraud or willful and knowing misrepresentation or false statement made in an application for a license.

B. Fraud or willful and knowing misrepresentation or false statement made in the conduct of an alarm business.

C. Failure to correct any deficiencies in equipment or operation within thirty (30) days after receipt of notice of same from the Police Chief.

- D. Failure to comply with any order or notice issued by the Police Chief after the licensee's rights to hearing and appeal have been exhausted or failure after reasonable notice to permit the Police Chief to inspect any lists which he/she is authorized to inspect under this chapter or failure to comply with the standards imposed by this chapter within thirty (30) days after notice or order from the Police Chief.
2. No alarm business license shall be revoked until a hearing is held by the Police Chief. Written notice of the time and the place of the hearing shall be served on the holder of the license at least ten (10) days before the date set for the hearing. The notice shall set forth a summary of the grounds advanced as the basis for the revocation of the license.
  3. At the hearing before the Police Chief, the holder of the license or his or her authorized representative shall be given an opportunity to confront and examine any adverse witness and to present evidence on his/her own behalf. After the hearing, the Police Chief shall either dismiss the revocation proceeding or shall forward the matter to the Council with his/her recommendation that the license be revoked.
  4. Any person whose license is revoked pursuant to this section shall have the right to file a written appeal with the Council within ten (10) days after receiving notice in writing of the revocation recommendation from the Police Chief. Such appeal shall set forth in detail the specific ground or grounds on which it is based. The Council shall hold a hearing on the appeal and shall cause the appellant to be given at least seven (7) days' written notice of such hearing. At the hearing, the appellant or his/her authorized representative shall have the right to present a written or oral argument, or both, in support of his/her appeal. The determination of the Council on the appeal shall be final.
  5. Within ten (10) days after an alarm business receives notice of revocation of its license, or after it has exhausted all appeals with respect to such revocation, it shall notify all persons for whom it is required to maintain a list pursuant to Section 134.02(1)(C) of such revocation, and the notice shall advise such persons that the alarm business must cease providing service for or selling burglar and holdup alarm systems to such persons. When the notice required by this subsection has been completed, the alarm business shall submit a sworn certificate to the Police Chief that it has met the requirements of this section.
  6. After notice of revocation has been given, an alarm business licensee may continue to operate the business until all rights of appeal under this chapter have been exhausted.

**134.06 ALARM AGENTS; IDENTIFICATION CARDS.** *(Repealed by Ord. 13-24 – Nov. 13 Supp.)*

**134.07 ACTION ON ALARM AGENT APPLICATIONS.** *(Repealed by Ord. 13-24 – Nov. 13 Supp.)*

**134.08 REVOCATION OF IDENTIFICATION CARDS.** *(Repealed by Ord. 13-24 – Nov. 13 Supp.)*

**134.09 IDENTIFICATION CARDS; FORM; RETURN OF CARDS.** *(Repealed by Ord. 13-24 – Nov. 13 Supp.)*

**134.10 ADMINISTRATIVE RULES.** The Police Chief shall promulgate such rules as may be necessary for the implementation of this chapter and for determination of grounds for clerical suspension or revocation of any license or permit required by this chapter. The rules shall be approved by the Mayor and Council and shall be open to inspection by the public.

**134.11 AUTOMATIC DIALING DEVICES.**

1. No automatic dialing device shall be interconnected to a primary trunkline.
2. At such time and under such conditions as the Council may approve, automatic dialing devices designed to transmit signals directly to the Police Department may be interconnected to a special trunkline into the department. Before such a device is interconnected to a special trunkline, the person performing this operation shall first obtain instructions from the Police Department concerning the procedure to be followed. The Police Department shall designate the number to be used for this purpose.
3. The owner or lessee of any automatic dialing device which is interconnected to a special trunkline transmitting directly into the Police Department shall pay the City a monthly fee to be set by resolution of the Council.
4. Persons owning or leasing an automatic dialing device may have the device interconnected to a telephone line transmitting directly to:
  - A. A central station;
  - B. A modified central station; or
  - C. A licensed answering service.
5. The relaying of messages by such intermediate services to the Police Department shall be over a special trunkline and only under the conditions set forth in subsection 2, except that operators at the central stations may relay messages over a direct line.
6. Automatic dialing devices may also be interconnected to one or more telephone numbers available to the owner or lessee of the devices or their designated representatives, at another location which has been established to receive alarms by a licensed alarm business.

7. Automatic dialing devices interconnected to a telephone line that transmit directly to a central station, modified central station, or licensed answering service and result in the alarm being referred to the Police Department for response shall be subject to a monthly monitoring fee as set by resolution of the Council. Set fees shall be paid by the owner or lessor of said automatic dialing device as may be the case.

8. Failure to pay the monthly fee or any false alarm charges assessed as provided for in this chapter shall be cause for termination of Police Department response.

9. Thirty (30) days' notice in writing shall be given to all licensed alarm businesses prior to the establishment of special trunklines. Every alarm business which interconnects any automatic dialing device in the City to a special trunkline in the communication center of the Police Department shall maintain a current list of such installations for inspection by the Police Chief during the course of his/her official duties and include in such list:

A. The name, home address and telephone number of the device's owner or lessee;

B. The address of the location where the device is installed and the telephone number at that location;

C. The name and telephone number of at least one other person who can be reached at any time, day or night, and who is authorized to respond to an emergency signal transmitted by the automatic dialing device, and who can open the premises wherein the device is installed.

10. The information contained in the lists required by this section shall be restricted to inspection only by the Police Chief and authorized employees of the Police Department in the course of their official duties.

11. Automatic dialing devices installed on any premises within the City which are interconnected to a special trunkline transmitting signals into the Police Department that will be responded to by members of the Police Department shall meet the following minimum standards, as determined by the Police Chief:

A. The contents of the recorded message to be transmitted by such device must be intelligible and in a format approved by the Police Chief as appropriate for the type of emergency being reported.

B. Upon a single stimulus of the alarm device, an automatic dialing device may place two separate calls to the Police Department via the special trunkline. No such call shall be longer than one minute and fifteen seconds in duration. There must be at least three minutes between the completion of the first call and the initiation of the second, and the second call must be clearly identified as a second call.

C. All such devices shall be capable of transmitting an emergency message to two or more separate locations, so that upon activation any message may be sent not only on a special trunkline but also to a location where an authorized person is available to respond to the emergency message, and to open the premises on which the device is installed.

D. The sensory apparatus and hardware comprising such devices shall be maintained by the owner or lessee in such physical condition that false alarms will be minimized.

E. This section shall apply only to those automatic dialing devices interconnected to the communication center of the Police Department.

12. Every alarm business selling or leasing to any person an automatic dialing device which is installed on such person's premises in the City shall furnish that person with instructions that provide adequate information to enable persons using such device to operate it properly and, if the device is to be serviced or maintained by another alarm business, shall furnish such other alarm business with a manual or other information necessary to enable it to service or properly maintain such device. Copies of such manuals or other information shall be made available to the Police Chief by the alarm business at all reasonable times.

13. If the Police Chief reasonably finds such information to be incomplete or unclear, or inadequate to explain how the device operates and is constructed, the Police Chief may require the alarm business to revise the information to meet the standards contained herein, and then to distribute the revised information to persons who have had such devices installed as well as to persons subsequently having such devices installed.

14. Every alarm business selling or leasing to any person an automatic dialing device which is installed on such person's premises in the City shall provide or make available at all times service to repair such device, should it malfunction, and shall furnish to the person buying or leasing such device written information concerning how service may be obtained at any time, including the telephone number to call for service.

#### **134.12 DIRECT CONNECTIONS TO POLICE DEPARTMENT.**

1. Subject to there being sufficient board space available, the Council may authorize alarms from installations in the City to be terminated in the Police Department.

2. Any said alarm shall be installed at the Police Department by or at the direction of authorized personnel of the Police Department and the maintenance and repair of any portion of said alarm located at or connected to the Police Department shall be at the direction and under the control of authorized personnel of the Police Department.

3. The owner or lessee of any said alarm shall pay a monthly fee set by the resolution of the Council. Failure to pay the monthly fee, any false alarm charges assessed as provided for in this chapter, or failure to pay to assist the Police Department in maintenance and repair of said alarm, shall be cause for disconnection of the alarm.

**134.13 CENTRAL STATIONS – STANDARDS.** In addition to any other requirements imposed by this chapter, an alarm business shall not be granted a license to operate a central station unless the Police Chief finds that the central station, if operated, will meet the following minimum requirements:

1. Compliance with *Standard for Central Station Burglar Alarm Units and Systems* (UL 611-1972) issued by Underwriters' Laboratories or American National Standards Institute (ANSI SEZ.2-1972). Such standards are hereby adopted and made a part of this chapter and a copy of such standards shall be kept on file at the Police Department and be available for public inspection. The service provided may correspond to any of the several grades of service listed in the standards, but the owner, alarm agent or other person in responsible control of the premises wherein such alarm system is located must be present at such premises as soon as is reasonably possible after being requested to do so by a representative of the Police Department. A central station may also be licensed as a modified central station or licensed telephone answering service.

2. If a central station is currently registered with Underwriters' Laboratories as a "UL" listed central station, or if it is listed as such in Underwriters' Laboratories publication, *The Quarterly Supplement*, such registration or listing shall be sufficient evidence of compliance with this section.

**134.14 MODIFIED CENTRAL STATIONS – STANDARDS.** In addition to any other requirements imposed by this chapter, an alarm business shall not be granted a license to operate a modified central station unless the Police Chief finds that the modified central station, if operated, will meet the following minimum standards.

1. The premises from which the services are performed must meet any applicable fire regulations.

2. The premises from which the services are performed must be secured in a manner approved by the Police Chief to prevent entry by unauthorized persons.

3. A sufficient number of operators must be on duty at all times to assure that adequate response shall be made to all emergency messages received.

4. As soon as possible after notifying the Police Department of any emergency messages received, the operator concerned shall notify the subscriber involved of such action and the nature of such emergency message received. If, however, the alarm business has written instructions from its subscriber not to

make such notification during certain hours, the alarm business may comply with such instructions.

5. The modified central station shall certify that all equipment supervised by the modified central station shall be tested at least once a year as specified by the Police Chief. Where a test result is unsatisfactory, the cause thereof shall be corrected within 24 hours or such time as shall be provided by the Police Chief.

#### **134.15 INSPECTION OF ALARM DEVICES AND BUSINESSES.**

1. Before hookup into the Police Department monitoring board, inspection at the option of the Police Chief, or his/her authorized representative, may be made.

2. If such inspection reveals any violations of the provisions of this chapter, a written report detailing such violations shall be promptly sent to the Council and to the owner, lessee, or other person responsible for the alarm system or business. Such report shall require the correction within thirty (30) days after receipt of the notice of the violation discovered, and shall state that a failure to comply may result in the revocation of the alarm business license to operate in accordance with provisions of this chapter relating to the revocation of licenses and permits.

**134.16 STATISTICAL DATA.** In addition to any other information that may be required to be supplied by the provisions of this chapter, the Police Chief may require an alarm business to furnish certain statistical data which may be reasonably available to specified periods of operation after the effective date of this chapter. Any operational data so furnished shall be for use only by the Police Chief or authorized representative.

**134.17 TESTING OF 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 Department. 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.

**134.18 NOTICE OF DISRUPTION IN SERVICE.** When an alarm business service 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 subscriber 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.

#### **134.19 FALSE ALARMS.**

1. An alarm user will be charged a fee for each false alarm pursuant to the false alarm charge schedule adopted by resolution of the Council.

2. If any alarm user fails to pay a false alarm charge within thirty (30) days after being billed, the Police Chief may issue written notice by first class mail of his/her intention to disconnect the alarm user's alarm from its connection to the Police Department, or of his/her intentions to refuse to authorize response by Police Department personnel to future alarm user's alarm system. An alarm user who is disconnected shall be entitled to a hearing.

3. Written notice of the time and place of hearing shall be served on the alarm user by the Police Chief by first class mail at least ten (10) days prior to the date set for hearings.

4. At the hearing before the Police Chief, the alarm user or his/her authorized representative shall have the right to confront and examine witnesses and to present evidence as to his/her delinquency. After the hearing, the Police Chief may order disconnection, may refuse to respond to future alarms from that alarm user's alarm system, or may withdraw the notice if he/she is satisfied there is no delinquency.

5. Any alarm user whose alarm system has been disconnected or to whose alarm system the Police Chief has determined no future response will be made pursuant to this section shall have the right within ten (10) days after receiving notice of said action from the Police Chief to file a written appeal by first class mail or hand delivery with the Council, and no alarm user shall be required to discontinue use of his or her alarm system prior to the expiration of such 10-day period. Such appeal shall set forth the specific ground or grounds on which it is based. The Council shall hold a hearing on the appeal and shall cause the appellant to be given at least seven (7) days' written notice of such hearing. At the hearing, the appellant or his/her designated representative shall have the right to present written or oral argument, or both, in support of the appeal. The Council shall issue its decision within seven (7) days after the hearing.

6. If an alarm user files an appeal pursuant to subsection 5 of this section, he/she shall not be required to discontinue the use of the alarm system, until a final decision is made on the appeal.

7. Any alarm user whose alarm system has been disconnected from Police Department facilities is not precluded under this section from applying for a new connection. The Police Chief, however, is not required to allow a new connection unless past delinquencies have been satisfied, the Police Chief is satisfied that the applicant will meet the obligations proposed under this chapter in the future, and sufficient board space is available at the Police Department for the connection.

**134.20 SERVICE BY MAIL.** Whenever any person is required to make a delivery by first class mail, delivery, in lieu thereof, may be made by hand by any person 18 years of age or older.

**134.21 JUDICIAL REVIEW.** Nothing herein shall be deemed to deny to any person claiming to be aggrieved by any determination hereunder any applicable judicial remedies provided for by the laws of the State of Iowa, including the right to appeal to the District Court.

**134.22 FALSE FIRE ALARMS.**

1. As used in this section, the term “alarm system” means an assembly of equipment or devices, or a single device such as a solid state unit, arranged to signal the presence of a hazard requiring urgent attention, and to which fire personnel or alarm agents are expected to respond. The term “alarm user” means any person or business on whose premises an alarm system is maintained within the City.

2. An alarm user will be charged a fee for each false alarm to which the Fire Department responds beyond two in a calendar year. The fee for false alarms shall be established by City Council resolution.

*(Ord. 02-02 – Feb. 02 Supp.)*

3. If any alarm user fails to pay a false alarm charge within thirty (30) days of billing, the Fire Chief may issue written notice by First Class Mail of the Fire Chief’s intention to disregard all future alarms relating to the premises of the alarm user. An alarm user who is so notified shall be entitled to a hearing before the Fire Chief.

4. Written notice of the time and place of hearing shall be served on the alarm user by the Fire Chief by First Class Mail at least ten (10) days prior to the date set for hearing.

5. At the hearing before the Fire Chief, the alarm user or the alarm user’s authorized representative shall have the right to confront or examine witnesses and to present evidence as to the delinquency of payment and number of false alarms. After the hearing, the Fire Chief may order notice of refusal to respond to future alarms to remain in full force and effect or may withdraw the notice if the Fire Chief is satisfied that there is no delinquency or that deficiencies in the alarm system have been corrected.

6. Any alarm user that the Fire Chief has determined not to respond to upon future alarms shall have the right within ten (10) days after receiving notice of the action from the Fire Chief to file a written appeal, by First Class Mail or hand delivered, with the Council. This appeal shall set forth the specific ground or grounds on which it is based. The Council shall hold a hearing on the appeal and shall cause the appellant to be given at least seven (7) days’ written notice of the hearing. At the hearing, the appellant or the appellant’s designated representative, shall have the right to present written or oral argument, or both, in support of the appeal. The Council shall issue its decision within thirty (30) days after the hearing.

7. Whenever the Fire Chief's decision not to respond to fire alarms is made pursuant to this section and the same is appealed, the appeal shall operate as a stay of the Chief's decision. The Fire Department shall respond to fire alarms during this stay. Should additional false alarms occur during a stay, the alarm user will be subject to additional fees as set forth in this section.