

Title 5 ► Chapter 4

Regulation of Private Alarm Systems

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Sec. 5-4-1 Title.

This Chapter shall be known as the Village of Rudolph Alarm Systems Ordinance.

Sec. 5-4-2 Declaration of Purpose.

The purpose of this Chapter is to provide minimum standards and regulations applicable to burglar, fire and holdup alarm systems, alarm business and alarm users. Both society in general and public safety in particular will be aided by providing a useful and usable system of private security which properly balances quick response by law enforcement with minimization of law enforcement time spent on alarms which are false or otherwise not the intended function of private security systems.

Sec. 5-4-3 Definitions.

Within this Chapter, the following terms, phrases and words and their derivations have the meaning given herein.

- (a) **Alarm Business.** Any business in which the owners or employees engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, or servicing alarm systems.
- (b) **Alarm System.** An assembly of equipment and devices or single device such as a solid state unit which plugs directly into 110-volt AC line or otherwise receives electrical energy arranged to signal the presence of a hazard requiring urgent attention and to which the Fire Department is expected to respond. In this Chapter, the term "alarm system" shall include the terms "automatic holdup alarm systems," "burglar alarm systems," "holdup alarm systems" and "manual holdup alarm systems" as those terms are hereinafter defined, and fire alarm systems which monitor temperature, humidity or any other condition directly related to the detection of fire. Excluded from this definition and from the coverage of this Chapter are alarm systems used to alert or signal persons within the premises in which the alarm system is located of an attempted, unauthorized intrusion or holdup attempt or fire.
- (c) **Annunciator.** The instrumentation of an alarm console at the receiving terminal of a signal line through which both visual and audible signals show when an alarm device at a particular location has been activated or which, in the event of malfunction, may also indicate line trouble.
- (d) **Answering Service.** 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 dispatch center of the Fire Department.
- (e) **Automatic Dialing Device.** 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.
- (f) **Automatic Holdup Alarm System.** An alarm system in which the signal transmission is initiated by the action of the robber.
- (g) **Manual Holdup Alarm System.** An alarm system in which the signal transmission is initiated by the direct action of the person attached or by an observer thereof.
- (h) **Burglar Alarm System.** An alarm system which signals an entry or attempted entry into the area protected by the system.
- (i) **Direct Connect.** An alarm system which has the capability of transmitting system signals to the Fire Department.
- (j) **False Alarm.** 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 or other undetermined cause. False alarm does not include alarms caused by tornadoes or other violent climatic conditions.
- (k) **Interconnect.** 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.

- (l) **Central Station.** An office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits.
- (m) **Primary Trunk Line.** A telephone line leading directly into the dispatch center of the Fire 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 or numbers in sequence therewith.
- (n) **Subscriber.** A person who buys or leases or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm system.

Sec. 5-4-4 Administrative Rules.

The Fire Chief shall promulgate such rules as may be necessary for the implementation of this Chapter. Such rules shall require the approval of the Village Board and shall be open to inspection by the public.

Sec. 5-4-5 Automatic Dialing Devices.

No person shall interconnect any automatic dialing device to a Fire Department primary trunk line. No person shall permit such devices, which were installed prior to the effective date of this Chapter, to remain interconnected from any property owned or controlled by that person. Such devices may be connected to a central station or an answering service. Relaying messages so received to the Fire Department shall only be done person to person on the telephone line.

Sec. 5-4-6 Direct Connections; Emergency Contact Persons.

- (a) **Direct Connections.** Direct connections to the Fire Department are prohibited, but may be authorized pursuant to the direct connection policies of each Department, a copy of which is on file with the Fire Chief.
- (b) **Emergency Contact Persons.** The alarm user shall provide the Fire Department with the names and telephone numbers of at least two (2) persons who can be reached at any time, day or night, who are authorized to respond to an emergency signal transmitted by the automatic alarm system or device, and who are trained in the operation of functioning of the alarm system, and who can open the premises wherein the alarm system is installed. It shall be a violation of this Section if any of these persons cannot be contacted, or if they refuse to cooperate with and respond at the request of Fire Department officials; said person(s) may be subject to a forfeiture under the penalty section of this Chapter.

Sec. 5-4-7 Testing.

- (a) No alarm business or alarm system designed to transmit emergency messages to the Fire Department shall be tested or demonstrated without prior notification and approval of the Fire Department dispatcher. Alarm businesses or alarm system owners or lessors will be advised on proper test procedure.
- (b) No alarm system relayed through intermediate services to the Fire Department will be tested to determine the Fire Department's response without first notifying the appropriate authority. However, the Fire Department may inspect or test on-site alarm systems authorized under this Chapter.
- (c) Alarm systems shall be in compliance with all pertinent response policies of the Fire Department.

Sec. 5-4-8 Notification.

When the service provided by an alarm business 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 subscribers by telephone 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.

Sec. 5-4-9 Fee for Answering False Alarms.

- (a) **Generally.**
 - (1) Each false alarm requires response of public safety personnel, involves unnecessary expense to the Village, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the Village. Such false alarms constitute a public nuisance and must be abated.
 - (2) The user of any private alarm system which, upon activation, elicits a response from the Fire Department, shall be subject to a fee for each false alarm in the calendar year. A "false alarm" shall be defined as an alarm which was discharged falsely, accidentally, through mechanical failure, malfunction, improper installation, lack of maintenance, or by negligence of the owner or lessee of the alarm system or the owner's employees or agents.
- (b) **Exceptions.**
 - (1) Alarms that occur during electrical storms, tornadoes, blizzards, or other natural disasters or acts of God.
 - (2) Disruption of the telephone circuits beyond the control of the alarm company and/or the alarm user.

- (3) Electrical power or disruption or failure not caused by the user.
 - (4) Alarms caused by failure of equipment at the Wood County Communications Center (911).
- (c) **False Alarms; Administrative Charges.**
- (1) Any person, business, corporation or other entity having permissible alarm system with alarm device(s) at one or more locations in accordance with this Chapter shall pay to the Department a charge for false alarms responded to by the Fire Department according to the schedule in Section 1-3-1 for each calendar year for each location connected, separate accounts to be kept for false alarms as to criminal activity and false alarms for fire or other emergencies. The cost of false alarms outside of Village limits shall be billed by the Village as a service to the Department to the responsible party(s).
 - (2) Those subject to fees for false alarms shall be notified in writing of such fees. Failure to pay the fee within thirty (30) days of invoice shall be grounds to subject the user to the penalties contained within Section 1-1-6 in addition to the false alarm fees prescribed by this Chapter. In addition to any other methods provided by law, false alarm fees shall be allocated to the property served as a special charge under the Wisconsin Statutes.
 - (3) This Subsection is intended to impose a strict liability on the person, business, corporation or other entity responsible for alarm connection to either the police alarm panel or to alarm receiving firm to which the Fire Department have responded and shall be applied regardless of the cause of the false alarm excepting those alarms excluded from the definition of "False Alarm." Failure to pay such administrative charge(s) in and of itself shall constitute a violation of this Section, and such charge(s) shall be collectible as a forfeiture upon prosecution and conviction thereof, together with an additional forfeiture(s) which may be imposed under the next Subsection (d) hereof for violation of this Section for allowing or maintaining condition(s) or act(s) violative of the intent of this Section of eliminating and minimizing the occurrence of false alarms, together with costs of prosecution.
 - (4) The fee shall be imposed whether the Fire Department received the alarm by direct connection or through an intermediary, such as an answering service or modified central station. If the Fire Chief is notified in writing prior to the day of installation of a new alarm system, the fee imposed by this Section shall be waived for a ninety (90) day period beginning with the date of the installation.
- (d) **Other Violations.** Any person, corporation or other entity violating this Chapter in any manner, other than for collection of unpaid administrative charges treated in the preceding Subsection (a) of this Section, shall be subject to forfeiture as provided in Section 1-1-6 of this Code. When any premises located in the Village is owned, leased or occupied by two (2) or more persons as joint tenants, tenants in common, joint lessees, or in any other

manner, each person shall see that the provisions of this Chapter are complied with, and each person may be subjected to a penalty on violation of this Section.

- (e) **Default of Payment for Forfeiture and/or Costs.** On default of payment of forfeiture and/or costs under the immediately preceding Subsections (c) and/or (d), such person or responsible officer of the violating corporation or other entity shall be confined in the county jail until the same be paid but not to exceed a length of time specified by the court which length of time shall not exceed six (6) months. Upon nonpayment of the fee, the amount due may be placed on the tax roll as a special charge pursuant to Sec. 66.0627, Wis. Stats.

Sec. 5-4-10 Village Liability.

The Village of Rudolph shall be under no duty or obligation to a subscriber or to any other person concerning any provision of this Chapter, including, but not limited to, any defects in an alarm system or any delays in transmission or response to any alarm; however, this in no way shall be construed that it is not the proper function of law enforcement to respond to alarms.

Sec. 5-4-11 Unlawful False Alarms.

It shall be unlawful for any persons to give or cause to be given a false alarm, or to pull the lever of any signal box, except in the case of fire, or tamper, meddle or interfere in any way with said boxes, or any of the wires, or supports there connected with any part of the fire/police alarm system, or to make any connection or communication therewith so as to interrupt or interfere with the proper working of said system or injure or destroy machinery or fixtures connected to said system.

Sec. 5-4-12 Permits for Private Alarm Systems.

- (a) **Permit Required.** A permit is required for each private alarm system on premises within the Village. There shall be a fee as prescribed by Section 1-3-1.
- (b) **Interior Alarms.** A permit under this Chapter is not required for an alarm system which gives a signal, visual or audible or both, solely within the interior of the building in which it is located.
- (c) **Issuing Authority.** The Fire Chief shall issue the permits and collect the fees.
- (d) **Application.** Application for permit required under this Chapter shall be filed with the Fire Chief. The Fire Chief shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the permit application. The Fire Chief

shall deny a permit if the alarm system for which it is sought does not comply with this Chapter.

- (e) **Appeal.** Any person may appeal the issuance of an invoice to the Fire Chief. The appeal shall be filed with the Village Clerk on a form provided by the Village Clerk's office. The appeal shall be in writing and specify the reason for the appeal. The Fire Chief shall determine whether to sustain or modify the invoice in whole or in part and shall notify the appellant of this decision in writing within fifteen (15) days of the receipt of the appeal. Any person aggrieved by a decision of the Fire Chief may appeal such decision to the Village Board pursuant to the procedures in Section 5-4-13(c).

Sec. 5-4-13 Revocation of Permits.

- (a) **Hearing.** Before a permit issued pursuant to this Chapter may be revoked, a hearing shall be held before the Fire Chief. Notice setting forth the time, place and nature of the hearing shall be sent by mail or delivered to the permittee at the address shown on the permit application not less than seven (7) days prior to the hearing.
- (b) **Grounds for Revocation.** The Fire Chief may revoke a permit on the following grounds:
- (1) The application for a permit contains a false statement of a material fact.
 - (2) A licensee has repeatedly failed to comply with the provisions of this Chapter.
 - (3) An alarm system repeatedly actuates false alarms.
- (c) **Appeals.** Any permittee may appeal the decision of the Fire Chief by filing a written notice of appeal with the Fire Chief within ten (10) days after the decision. Such appeal shall be heard by the Village Board within thirty (30) days after filing the appeal. The Village Board may affirm, amend or reverse the decision or take other action deemed appropriate. An appeal timely taken suspends the revocation until the Village Board gives its decision. The Fire Chief shall give written notice of the time and place of the hearing to the appellant by certified mail or personal delivery not less than seven (7) days before the hearing. In conducting the hearing, the Village Board shall not be limited by the technical rules of evidence.

