

709. FALSE ALARMS

§ 709.010 PURPOSE AND INTENT. The purpose of this ordinance is to provide regulations for the use of burglary, fire and safety alarms, including establishment of user fees for false alarms.

§ 709.020 DEFINITIONS

The following terms shall apply in the interpretation and application of this chapter:

1. "Public Safety Personnel" means a duly authorized city employee.
2. "Alarm User" means the person, firm, partnership, association, corporation, company, or organization of any kind in control of any building, structure, or facility wherein an alarm system is maintained.
3. "Alarm System" means any alarm installation designed to be used for the prevention or detection of burglary, robbery or fire on the premises, which contains an alarm installation.
4. "False Alarm" means an alarm signal eliciting a response by public safety personnel when a situation requiring a response does not, in fact, exist, and which is caused by the activation of the alarm system through mechanical failure, alarm malfunction, improper installation, or the inadvertence of the user of an alarm system or its employees or agents. False alarms do not include alarms caused by climatic conditions such as tornadoes, thunderstorms, utility line mishaps, or violent conditions of nature, nor do they include alarms caused by third persons over whom the user has no control.
5. "Excessive False Alarms" means more than three (3) false alarms generated or reported by an alarm user during twelve (12) consecutive months.

§ 709.030 EXCEPTIONS

The provisions of this ordinance are not applicable to alarm systems affixed to automobiles, boat trailers, house trailers, and recreational motor vehicles.

§ 709.040 EXCESSIVE FALSE ALARMS; USE FEE

An alarm user which generates or reports excessive false alarms shall, upon notice provided by the City, be responsible for payment of a user fee as set by City Council Resolution.

§ 709.050 PAYMENT OF USE FEE

1. Payment of the user fees provided for herein must be made to the City within thirty (30) days from the date of notice by the City to the alarm user. Failure to pay the fee within thirty (30) days will result in the imposition of a penalty of ten percent (10%) of the user fee.

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2. All unpaid user fees and penalties shall be certified as an assessment against the property on which the alarm was located and shall be collected each year along with the taxes on said property. Administrative costs in the amount of ten percent (10%) of the unpaid fee and penalty shall be added to each assessment.

§ 709.060 RIGHT TO APPEAL

Any alarm owner may request a hearing to refute a false alarm fee by forwarding an appeal in writing to the Administrative Hearing officer at the City of White Bear Lake. The date, time, and report number of the alleged false alarm must be included in the request for hearing. All appeals must be filed with the Administrative Hearing officer within ten (10) days of receipt of the false alarm card.

§ 709.070 LIABILITY OF CITY

The regulation of alarm response shall not constitute acceptance by the City of liability to maintain equipment, to answer alarms, or to respond to alarms in any particular manner.

(Ref. Ord.____ 3/22/05)