

### 1. **PURPOSE.**

The purpose of this ordinance is to provide a registration and permit process, with appropriate regulations to facilitate the reduction of false alarm activations, establish procedures for administration of the ordinance, and to advance the disciplined use and maintenance of alarm systems.

### 2. **DEFINITIONS.**

- A. **Alarm Monitoring Service.** Any person or entity whose business, purpose, or function is to monitor fire, security, or medical alarm systems and notify the Troy Police and Fire Communications Center of alarm activations.
- B. **Alarm System.** Either a security alarm system or fire alarm system, or medical alarm system or combination security, fire or emergency alarm system as herein defined.
- C. **Alarm User.** The owner, occupant, or person in control of premises where an alarm system is maintained within the City.
- D. **Emergency Alarm.** Any device or assembly of equipment and devices which upon activation warns the occupants of the premises of emergency situations involving hazardous materials or otherwise summons the fire department to respond.
- E. **False Alarm Activation.** Any alarm condition which is reported to the Troy Police and Fire Communications Center resulting from a situation for which the alarm was intended.
- F. **False Alarm Activation Notification.** A written notification to the alarm user, on a form determined by the City, of the occurrence of a false alarm activation.
- G. **Fire Alarm Provider.** Any person or entity whose business, purpose, or function is to install or service fire alarm systems and is licensed as an electrical contractor or a fire alarm specialty contractor.
- H. **Fire Alarm System.** A device or assembly of devices and equipment that detects and annunciates the presence of smoke, heat, or fire and, which upon activation, warns the occupants of the premises that a fire emergency exists, or summons the fire department to respond. In this Chapter, the term “Fire Alarm System” includes but is not limited to the following: “Fire Protective Signaling System”; “Automatic Fire Detection System”; Automatic Sprinkler System”; “Manual Fire Alarm System”; “Water Flow Alarm”; “Smoke Alarm/Detector”; “Gas Detection Alarm”; “Carbon Monoxide Alarm/Detector”; and “Emergency Alarm.”

- I. **Security Alarm Provider.** Any person, individual, co-partnership, corporation, association, club, joint adventure, estate, trust, and any other group or combination acting as a unit, and the individuals constituting such group or unit, whose business, purpose, or function is to install, service, or monitor security or medical alarms.
  
- J. **Security Alarm System.** A device or assembly of equipment and devices arranged to signal the presence of a condition such as, but not limited to: a hold-up, a burglary, home or property or business invasion, or a medical emergency which is intended to summon an emergency police response and/or emergency medical service, or employs an audible signal emitting sounds or flashing lights or beacon designed to signal persons outside of the premises. The term "Security Alarm System" shall include but is not limited to the following: "automatic holdup alarm system," "burglar alarm system," "intrusion alarm system," "medical alarm system," "panic alarm system," "personal emergency response system," or any other alarm system that results in the summoning of the police department or emergency medical service.

**EXCEPTION:** False vehicle alarms which are addressed in Chapter 88, Section 9.5, Subsection (a) of the Troy City Code.

### **3. AUTOMATIC ALARM DIALERS.**

It shall be a violation of this Ordinance to disrupt and/or interfere with the telephone communication system of the Troy Police and Fire Department by allowing alarm systems which, when activated, connect with the communication facility of the Troy Police and Fire Department by means of the Department's telephone system.

- A. No person engaged in the business of providing such services and facilities shall use or operate, attempt to use or operate or cause to be used or operated, or arrange, adjust, program or otherwise provide or install any device or combination of devices that will upon activation, either mechanically, electronically or by other automatic means initiate the intra-state calling, dialing or connection to any telephone number assigned to any subscriber by a public telephone company, without the prior written consent of such subscriber.
  
- B. The term "telephone number" includes any additional numbers assigned by a public utility company engaged in the business of providing communications services and facilities to be used by means of a rotary or other system to connect with the subscriber to such primary number when the primary telephone number is in use.

### **4. SECURITY ALARM INSTALLATION.**

- A. Upon completion of a security alarm installation, the security alarm provider shall thoroughly instruct the alarm user in the proper operation, testing, and maintenance of the system.

- B. The security alarm provider shall use only dual action holdup devices and eliminate using “1 +” duress keypad coding and money clips.
- C. The security alarm provider shall implement procedures to prevent or cancel exit/entry false alarms. (Extend delay times, enable delays before dialing, enable panel cancel code, etc.)
- D. Security alarm systems shall contain a battery back-up system in case of a power surge or loss of power.
- E. Alarm users and security alarm providers shall assign access codes to premise users that are unique to the individual.
- F. In commercial security alarm applications, the alarm user shall display a phone number, designated for alarm verification, adjacent to the alarm code access panel.

**5. SECURITY ALARM SHUT-OFF DEVICES.**

- A. Security alarm systems equipped with audible signals, e.g. bells, horns, or sirens intended to be heard by person(s) outside the protected premise—shall be equipped with a shut-off device that automatically silences the audible signal within ten minutes of activation.
- B. Security alarm systems equipped with audible signals that are not fitted with a shut-off device shall be subject to deactivation by the police department. The alarm user shall be assessed a shut-off fee and any applicable false alarm or unregistered alarm fees in accordance with Chapter 60 of the Code.

**6. FIRE ALARM SYSTEM PERMITTING.**

- A. It shall be unlawful to install, maintain, and operate a fire alarm system without having first obtained the necessary permit(s) and inspection(s), and without having registered as provided for in this Chapter.
- B. Individuals failing to obtain a fire alarm installation permit as required by Chapter 93 of the Code shall be assessed a double permit fee and associated civil infraction fees and penalties.

**7. FIRE ALARM SYSTEM INSTALLATION.**

- A. Installation of a fire alarm system shall be reviewed, permitted, and inspected by the Troy Fire Prevention Division with applicable permit and inspection fees paid prior to installation as required in Chapter 93 and Chapter 60 of the Code.

**EXCEPTION:** Fire alarm systems installed in single family residential occupancies.

- B. Upon completion of a fire alarm installation, the fire alarm provider shall thoroughly instruct the alarm user in the proper operation, testing, and maintenance of the system.

**8. FIRE ALARM PROVIDER LICENSING.**

The fire alarm provider contracted to install and/or maintain a fire alarm system must possess a license as required in MCL 338.881 et. seq. (PA 1956 No. 217 and PA 1992 No. 130).

**9. FIRE AND SECURITY ALARM SYSTEM REGISTRATION.**

- A. Alarm systems shall be registered with the City within fourteen (14) days of being connected to an alarm monitoring service or audible signal.
- B. Alarm providers shall advise alarm users with whom they do business that the alarm user must register the alarm system with the City.
- C. The alarm user shall pay an annual registration fee for each alarm system at each separately addressed operating location in accordance with Chapter 60 of the Code.

EXCEPTION: Residential alarm users shall pay a single registration fee at each separately addressed operating location for a combination security, medical, and/or fire alarm system control panel.

- D. All registrations are valid for one (1) year.
- E. Registrations shall be renewed with the City annually prior to the last business day of the anniversary month of the first alarm registration and shall be updated upon change of information or conditions. Individuals or businesses who have registered their alarms prior to December 1st, 2009, will continue to have an anniversary date of January 31st.
- F. It is unlawful for any person, firm, partnership, corporation or other legal entity to use, own or lease an alarm system, or to be in control of a premise wherein an alarm system is operated or maintained, without having registered the system as required in this Chapter.
- G. Any alarm user whose alarm system is not registered with the City shall be assessed a fine in accordance with Chapter 60 of the Code. In addition, all alarm activations, including both valid and false alarm activations from security alarms or fire alarms as defined in this Chapter, shall also be assessed a fine, as set forth in Chapter 60 of the Code, when the alarm is not registered.

**10. SECURITY AND FIRE ALARM REGISTRATION FORM.**

A. Alarm System Registration forms shall contain the following information:

- i. Applicant's full legal name, address, and telephone number.
- ii. Name, address and telephone number of the premises where the alarm system is located.
- iii. Type of alarm system.
- iv. Contact information, including addresses and telephone numbers, for three individuals who will respond to the alarm location in the event of an emergency to reset or deactivate the alarm system, or contact the alarm user if the alarm user is not at the alarm location.
- v. The name, address, telephone number, and state license number (if applicable) of the person or company that installed the alarm system.
- vi. The name, address and telephone number of the person or company responsible for the maintenance and repair of the alarm system (if applicable).
- vii. The alarm monitoring service name, phone number and address.
- viii. Any additional information as considered necessary by the City.

B. Registration is complete upon receipt and processing of the registration form by the City.

C. Incomplete registration forms will not be accepted and/or processed by the City.

**11. FIRE AND SECURITY ALARM ACTIVATION REPORTING.**

A. The alarm monitoring service shall notify the Troy Police and Fire Communications Center of all alarm activations unless prior notification has been made for testing, maintenance, or like circumstances. There is no requirement for an alarm monitoring service to notify the Troy Police and Fire Communications Center of a false or unintentional activation by an alarm user if that alarm activation is strictly as a result of testing or maintenance between the alarm monitoring service and the alarm user.

B. The alarm monitoring service shall notify the Troy Police and Fire Communications Center of all verified alarm cancellations if an alarm notification has been made to the Troy Police and Fire Communications Center.

**12. FALSE ALARM NOTIFICATION- SECURITY AND FIRE ALARMS.**

- A. The alarm user shall be sent a false alarm notification form after the occurrence of each verified false alarm activation.
- B. The alarm user shall return the completed false alarm notification form to the City within thirty (30) days of the false alarm notification date.
- C. Failure to return the form shall initiate automatic billing of the false alarm fee.

**13. FALSE FIRE ALARM NOTIFICATION- MAINTENANCE AND DOCUMENTATION.**

Upon notification of all false fire alarm activations, the fire alarm user shall be required to have the fire alarm system inspected and serviced by a fire alarm provider when it is determined that the false fire alarm activation was due to a malfunction with the system, a lack of maintenance, or when the reason for the activation cannot be determined. Documentation of inspection service shall be provided to the Troy Fire Prevention Division within thirty (30) days of said inspection.

**14. FALSE ALARM ACTIVATION PROHIBITED – FINES AND PENALTIES.**

- A. The following acts are misdemeanors punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both fines and imprisonment:
  - i. Any person who knowingly or willfully initiates a false alarm activation.
  - ii. Any person, including a fire alarm provider or other trade contractor who, because of work affecting the fire alarm system, either directly or indirectly initiates a false fire alarm activation without providing prior notification to the Troy Police and Fire Communications Center.
  - iii. A fire alarm monitoring service who initiates a false fire alarm after having been notified of work affecting the fire alarm system.
  - iv. Any willful misrepresentation by a fire alarm provider as to inspection, maintenance, or repair services rendered to a fire alarm system.
- B. In addition to the above fines and penalties, false alarm activations in a calendar year shall be assessed a penalty fee to be paid to the City in accordance with Chapter 60 of the Code.

Except as provided in Section 15, the Troy Police Department and/or the Troy Fire Department shall prepare an invoice of total charges for each premise and forward those invoices to the City Treasurer. Within ten (10) days after receipt of an invoice, the City Treasurer shall forward to the owner on the last local assessment or tax roll an invoice of the total charges assessed against each

premises. Thirty (30) days from the date each statement was mailed, payment shall be made. If the invoice is not paid within forty (40) days, the total amount charged shall become an assessment against the land and a lien against the property where the alarm is located.

- C. No fine shall be assessed for an alarm activation that was activated by conditions, events, or circumstances for which the alarm was intended.

**15. FALSE ALARM FINE(S) APPEAL PROCESS.**

- A. The City shall inform the registered alarm user, in writing, of each instance wherein the police department or the fire department has recorded a false alarm activation. The alarm user shall have the opportunity, within thirty (30) days from the date of the alarm activation notification, to submit in writing, an explanation of the alarm activation to the Troy Fire Department or Police Department, as appropriate. The City Manager or his/ her designee has the ability to waive the false alarm fee for good cause, such as a malfunction or equipment failure, as long as proof of service or maintenance is provided.
- B. Documentation provided to the City of maintenance or repair to the alarm system within thirty (30) days from the date of the alarm activation notification may be considered during the appeal process for possible waiving of the false alarm fee.
- C. Severe weather, power outages, transmission line malfunctions, malicious acts of person(s) not under the control of the alarm user, may be considered in determining whether or not punitive action will be taken against the alarm user as provided for in this ordinance.
- D. The City Manager and his/her designee shall not waive more than two false alarm fees per applicant for each registration year.

**16. NO LIABILITY OF THE CITY.**

- A. The City assumes no liability for any defects in the operation of any alarm system, as defined in this ordinance; for any failure or neglect of any person associated with the installation, operation, or maintenance of any alarm system; for any failure or neglect of any alarm user; for the transmission or receipt of alarm signals; or any failure or neglect to respond upon receipt of an alarm activation from any source.
- B. In the event the City finds it necessary to provide for the disconnection or removal of any alarm system or component, the City shall have no liability for such action.
- C. No special duty, other than that owed to the general public, shall be created by virtue of this ordinance, or by virtue of registering or permitting an alarm system.

**17. VIOLATIONS.**

Except as otherwise provided for in this Chapter, a person, individual, partnership, firm, corporation, organization, institution or agency of government that violates this ordinance is responsible for committing a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code. Each day a violation continues is a separate Municipal Civil Infraction Violation. Sanctions for violation shall include a fine of not more than \$500.00, costs, damages, and injunctive orders as authorized by Chapter 100.

(Enacted: 11-09-2009)