

CHAPTER 21 - POLICE

Sec. 21-40. Police review of false alarms.

(a) Any alarm system that has four to eight and nine or more false alarms within a consecutive three hundred and sixty five (365) day calendar period commencing from the date of the first false alarm, shall be subject to assessment as provided in this section. Upon the Police Department recording the fourth and each subsequent alarm:

1. The Police Department shall notify the subscriber and alarm business or the proprietor alarm owner by mail of such fact and direct that a report be submitted to the Police Chief within twenty (20) days of the date of mailing. The report shall contain:
2. A description of the action taken to discover and eliminate the cause of the false alarm.
3. Specific reasons, if any, why the alarm(s) should not be considered false alarm(s). Evidence that a false alarm was caused by an act of god, common cause or action of the telephone company shall constitute affirmative defenses to an assessment for the particular false alarm.

(b) The report required in paragraph (a) shall be received by the Police Chief or his designee within the time specified. If the report is not timely submitted, the party shall have waived his right to any further review or hearing and the alarm business, subscriber, or the proprietor alarm owner operating the alarm system generating the false alarms will be assessed, pursuant to paragraph (e) of this subsection.

(c) If the report required in paragraph (a) is submitted, the Police Chief or his designee shall review the corrective action taken to discover and eliminate the cause of the false alarms and the specific reason(s) for the false alarm(s), if any. If it is determined that a valid reason for the false alarm exists, a notice will be sent to all parties that no assessment will be made at that time. The notice shall specifically set forth the findings and conclusions of the Police Chief with respect to the review of the report submitted.

(d) If the Police Chief or his designee determines that no reason for the false alarms has been provided, a notice shall be sent by mail to the subscriber and alarm business or the proprietor alarm owner that they will be assessed pursuant to paragraph (e) of this subsection. The notice shall contain findings and conclusions of the Police Chief with respect to the review of the report submitted.

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(e) Assessments imposed pursuant to paragraphs (b) and (d) of this subsection shall be as set forth in the fee provisions of this code. The subscriber and the alarm business shall, be jointly and severally responsible for the payment of assessments imposed upon their alarm system. The owner of a proprietor alarm shall be responsible for the payment of assessments imposed upon a proprietor alarm system.

(Ord. No. 91-11, 5/14/91)

(Ord. No. 92-09, 3/17/92, Repealed and Reenacted)

(Ord. No. 96-10, 2/6/96, Amended)

(Ord. No. 99-95, 9/1/99, Amended) SUPP 1999-3