

## ARTICLE IV. ALARM SYSTEMS\*

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\***Editor's note:** Ord. No. 468, adopted Feb. 2, 1999, set out provisions repealing the old Art. IV, §§ 58-101--58-109, which pertained to similar subject matter and derived from Ord. No. 389, adopted Feb. 11, 1994.

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### Sec. 58-101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alarm system* means any single device or assembly of equipment designed to signal the occurrence of an illegal entry or other activity requiring immediate attention and to which the police department is expected to respond, but does not include alarms installed in motor vehicles or fire alarms.

*Alarm signal* means a detectable signal, either audible or visual, generated by an alarm system, to which the police are expected to respond.

*Alarm user* means any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning or leasing an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

*Automatic dial protection device* means an automatic dialing device or an automatic telephone dialing alarm system and shall include any system which upon being activated, automatically initiates to the Chamblee Police Department, a recorded message or code signal indicating a need for police response.

*Chief of police* means the chief of police of the Chamblee Police Department or his designee.

*False alarm* means the activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his employees or agents, and signals to summon police personnel unless law enforcement response was canceled by the alarm user or his agent before police personnel arrive at the alarm location. False alarm shall also mean activation of such alarm due to power failure when such power failure is not caused by fire, forced entry or attempted forced entry. A false alarm shall not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user. In addition, an alarm activated during an alarm system testing procedure shall not be considered a false alarm if the alarm user first notifies and receives permission from the user's alarm company, or designee, to test the system. An alarm is false within the meaning of this ordinance when, upon inspection by the chief of police, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system.

(Ord. No. 468, 2-2-99)

**Sec. 58-102. Alarm user permits required.**

- (a) *Permit required.* No person shall use an alarm system, as described in section 58-101, which is designed to elicit, either directly or indirectly, a police response without first obtaining a permit for such alarm system from the city. No person shall use an alarm system when the alarm permit for that system has been revoked pursuant to section 58-107 of this article.
- (b) *Application.* The permit shall be requested on an application form provided by the Chamblee Police Department. An alarm user has the duty to obtain an application from the police department.
- (c) *Transfer of possession.* When the possession of the premises at which an alarm system is maintained is transferred, the person obtaining possession of the property shall file an application for an alarm permit within 30 days of obtaining possession of the property. Alarm permits are not transferable.
- (d) *Reporting updated information.* Whenever the information provided on the alarm user permit application changes, the correct information must be provided by the alarm user to the Chamblee Police Department within 30 days of the change. In addition, each year after the issuance of the permit, permit holders will receive from the Chamblee Police Department a form requesting updated information. The permit holder shall complete and return this form to the Chamblee Police Department indicating any information that has changed.

(Ord. No. 468, 2-2-99)

**Sec. 58-103 Issuance of permit decals.**

No person shall use an alarm system without posting at the front entrance of the premises served by the alarm system the alarm user permit decal issued by the Chamblee Police Department. This decal must be prominently posted at the front entrance of the premises so that the information provided on the decal is visible from outside the structure.

(Ord. No. 468, 2-2-99)

**Sec. 58-104. Multiple alarm systems.**

If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses, a separate permit will be required for each structure.

(Ord. No. 468, 2-2-99)

**Sec. 58-105. Response to alarm; determination of validity.**

- (a) *Police response.* Whenever an alarm is activated in the city and the police department does respond, a police officer on the scene of the activated alarm system shall inspect the area and shall determine whether the police response was in fact necessary as indicated by the alarm system or whether the alarm was

a false alarm.

- (b) *Notification.* If the police officer at the scene of the activated alarm system determines the alarm to be false, the officer shall make a report of the false alarm. An alarm user shall be notified of each false alarm determination. Said notification may be accomplished by the police officer at the scene leaving notice at the time of response.
- (c) *Inspection.* The chief of police shall have the right to inspect any alarm system on the premises to which a response has been made at any reasonable time thereafter to determine whether it is being used in conformity with the terms of this article.

(Ord. No. 468, 2-2-99)

**Sec. 58-106. Review of false alarm determinations.**

- (a) *Request for review.* The chief of police shall, when requested by an alarm user, review the determination that an alarm was false. Such review shall be conducted only if the alarm user requests in writing such a review within seven working days of the date that the false alarm occurred. The written request for review of a false alarm determination shall include the following information:
  - (1) Alarm user name;
  - (2) Address at which alarm is installed;
  - (3) Date of false alarm that is being contested;
  - (4) Alarm user permit number;
  - (5) Facts upon which the request for review of the false alarm determination is made.

(Ord. No. 468, 2-2-99)

**Sec. 58-107. Service charge assessment for false alarms and reinstatement of alarm user permits.**

- (a) *Excessive false alarms.* It is hereby found and determined that five or more alarms within any calendar year is excessive and constitutes a public nuisance.
  - ~~(1) For the fifth false alarm within a calendar year period, the alarm user shall be billed a \$25.00 service charge.~~
  - ~~(2) For the sixth and seventh false alarms within a calendar year period, the alarm user shall be billed a \$50.00 service charge.~~
  - ~~(3) For the eighth through tenth false alarms within a calendar year period, the alarm user shall be billed a \$100.00 service charge.~~
  - ~~(4) The eleventh false alarm within a calendar year period and all false alarms thereafter shall result in the revocation of the alarm user's permit in the following manner:~~
    - a. The alarm user shall be given ten days' advance written notification that the alarm user's permit will be revoked. This

Service charges changed effective January 1, 2008.

written notice shall set forth the reasons for such revocation.

- b. The notice shall specify the specific date of revocation and that the police department will discontinue responding to alarms that occur at the premises described in the revoked permit after the date of revocation.
  - c. Reinstatement of both the permit and eligibility for police response to alarm calls will be made only upon receipt of a written request for reinstatement from the alarm user which spells out the corrective actions that have been taken accompanied by the payment of any prior unpaid service charges assessed pursuant to this section and payment of a \$200.00 service charge.
- (c) *Discontinuance of police response.* The failure of an alarm user to make payment of any service charge imposed under this section within 30 days from the date of receipt shall result in the discontinuance of police response to alarms that may occur at the premises described in the alarm user's permit until payment is received.

(Ord. No. 468, 2-2-99)

**Sec. 58-108. Grace period following installation of new alarm system.**

Notwithstanding the provisions of section 58-107 of this article, there shall be a 30-day grace period following the installation of any new alarm system during which period false alarms shall not be counted. This grace period is provided to allow the installing company or other installer and the user to take necessary corrective action with regard to the operation of the alarm system.

(Ord. No. 468, 2-2-99)

**Sec. 58-109. Maximum decibel level of alarm system.**

No alarm system which is installed on residentially zoned property or that is installed within 500 feet of a residentially zoned property, shall be allowed to emit sound at levels greater than 95 decibels when measured at a distance of ten feet from the source of the emission.

(Ord. No. 468, 2-2-99)

**Sec. 58-110. Failure to terminate false alarm, penalty.**

Any person or business failing to respond to the alarm location when requested to do so by the police department in order to reset, disconnect or disable the alarm system within 90 minutes of such request, shall be assessed a service charge in the amount of \$50.00.

(Ord. No. 468, 2-2-99)

**Sec. 58-111. Unlawful activation; failure to notify police department of malfunction or repair work.**

It is unlawful for anyone to activate any fire, robbery or burglar alarm for the purpose of summoning police officers except in the event of an actual fire, attempted burglary or robbery or for anyone notifying a police officer of an activated alarm and having knowledge that such activation was apparently caused by an electrical or other malfunction of the alarm system, or was apparently caused by maintenance or service to the alarm system, to fail at the same time to notify the police department of such apparent malfunction or repair.

(Ord. No. 468, 2-2-99)

**Sec. 58-112. Alarms to automatically shut off after activation of 15 minutes.**

All alarms having an audible or visual signal at the premises shall be equipped so as to automatically shut off the audible and/or visual signal after a period of 15 minutes of activation except those systems required by law to have a longer period of activation, in which case such systems shall be so equipped so as to automatically shut off the audible and/or visual signal at the conclusion of the longer time. Owners of alarm systems existing on or before the effective date of this article shall have 90 days from the effective date of this article to comply with the requirements of this section.

(Ord. No. 468, 2-2-99)