

## ALARM ORDINANCE 1996

An Ordinance regulating alarm monitoring control systems, and alarm system permits.

The County Board of Commissioners of the County of Aitkin, State of Minnesota, does hereby ordain as follows:

SECTION 1: JUSTIFICATION:

The Aitkin County Sheriff's Department responds to hundreds of false alarms each year, a level which places intolerable burdens upon the time and resources of the Sheriff's Department. These many false alarms also create an increased level of risks on the safety of the responding officers and to the public, as well. Therefore, the justification of this Ordinance is to reduce the high level of risks and expenses, by reducing the frequency of occurrence of these false alarms, establish a user fee, and establish a system of administration.

SECTION 2: COVERAGE:

This Ordinance shall apply to all types of alarms, including, but not limited to: radio-enhanced, direct line, central station, and automatically dialed fire, intrusion, and robbery alarms.

SECTION 3: DEFINITIONS:

1. "ALARM AGENT" shall mean any person who is employed by an alarm business, either directly or indirectly, including an owner, corporate officer, or director, whose duties include any of the following: selling, maintaining, leasing, servicing, repairing, altering, replacing, moving, or installing on any building, place or premises, any police alarm system, central station system, or burglary alarm systems.
2. "ALARM BUSINESS" shall include the business of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, or installing any police alarm system.
3. "ALARM USER" shall mean any person as defined herein, using the services of a police alarm system, a central station system or a burglar alarm system.
4. "ANSWERING SERVICE" refers to a telephone answering service which receives signals from any alarm system and thereafter immediately relaying the message by live voice to the Communications Center of the Sheriff's Department.
5. "AUTOMATIC DIALING DEVICE" refers to an automated alarm system which sends a prerecorded voice message or coded signal indicating the existence of the emergency situation which the alarm system is designed to detect.
6. "BURGLAR ALARM SYSTEM" refers to an alarm system signaling an entry or attempted entry into an area protected by the system, but which system is not connected to a police alarm or central station system.

7. "CENTRAL STATION" means an office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits, and where guards are maintained continuously to investigate signals.

8. "CENTRAL STATION SYSTEM" means a system in which the operation of electrical protection circuits and devices are signaled automatically to, recorded in, maintained, and supervised from a central station having operators and security personnel on duty at all times.

9. "DIRECT LINE" means a telephone line leading directly from a central station to the Communications Center of the Sheriff's Department that is for use only to report emergency signals on a person-to-person basis.

10. "FALSE ALARM" means 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, to which a police officer has been dispatched, where an emergency situation does not exist. Such terminology does not include alarms caused by hurricanes, tornadoes, earthquakes, lightening, power failure, damage to power lines, or severe weather conditions.

11. "EXCESSIVE ALARMS" shall mean three (3) or more false alarms signaled by any police alarm system within a calendar year.

12. "PERSON" shall mean any individual, partnership, corporation, association or other entity.

13. "POLICE ALARM SYSTEM" shall mean any device designed for the detection of an unauthorized entry on premises for alerting others of the commission of an unlawful act, or both, and, when actuated, emits a sound or transmits a signal or message, which system is connected to or monitored by the Aitkin County Sheriff's Department.

14. "PRIMARY TRUNKLINE" means any telephone line leading directly into the Communications Center of the Sheriff's 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 issued by the telephone company(s) and covering the service area(s) within the Sheriff's Department jurisdiction.

15. "PROPRIETARY SYSTEM" means an alarm system sounding and/or recording alarm and supervisory signals at a control center located within the protected premises, the control center being under the supervision of the proprietor of the protected premises. A proprietary system includes a signal line connected directly to the Sheriff's Department Communications Center, a central station, or answering service, it thereby becomes an "Alarm System" as defined in this Ordinance.

16. "SPECIAL TRUNKLINE" means a telephone line leading directly into the Communications Center of the Sheriff's Department and having the primary purpose of handling emergency signals or messages originating, either directly or through a central location from automatic dialing devices.

17. "KEY HOLDER" refers to a person who has your permission and is able to gain entry into your house.

**SECTION 4: PERMIT REQUIRED -- EXCEPTIONS:**

It shall be unlawful for any person to own, use or possess an alarm system, without first complying with the provisions of this article and without first obtaining the proper permit as required by this article. The provisions of this article shall not be applicable to audible alarms affixed to motor vehicles, as allowed by law, or to the County of Aitkin, its officers, agents, and employees, in their official capacity.

**SECTION 5: APPLICATION FOR PERMIT:**

Application for permits required under this article shall be made to the Sheriff of Aitkin County within 90 days of the enacting of this ordinance on forms provided by the Sheriff's Department. Each application for a permit shall be accompanied by the correct fee as defined herein.

Each permit shall be valid for a period of one (1) year and shall expire on the last day of the month of December, unless sooner revoked as provided herein. Application for the next ensuing year may be filed with the Sheriff beginning ninety (90) days before the first day of January.

The application for an alarm user permit shall state the name, address, and telephone number to the applicant's property serviced by a police alarm system or by a central station system, and the name, address, and telephone number of the applicant's residence, if different. If the applicant's police alarm system or central station system is serviced by an alarm business, the application shall include the name, address, and telephone number of such business. The application may include such other information as the Sheriff shall find necessary to determine the qualifications of the applicant for such permit. The applicant for such permit shall submit a completed copy of the Alarm System Indemnification Agreement, emergency contacts, and verified testing each year.

**SECTION 6: PERMIT FEES:**

The fees for the permits required by this Ordinance shall be established by resolution of the Aitkin County Board of Commissioners.

**SECTION 7: ISSUANCE OF PERMITS:**

The Sheriff shall approve the application and shall issue a permit within fifteen (15) days of the receipt of the completed application forms of the alarm user, if upon investigation, there shall appear no reason to deny the permit as provided in this Ordinance.

Each alarm user shall maintain a current information card with the Sheriff's Department, containing his name, address, and telephone number, as well as the name, address, and telephone number of a person or persons who can render service to the alarm at any hour of the day or night.

(Each alarm user shall immediately inform the Sheriff of any and all changes in the information on file with the Sheriff's Department regarding such permit.)

**SECTION 8: DENIAL OF PERMIT:**

An application for an alarm user permit shall be denied if the applicant wilfully falsifies any information on the application.

**SECTION 9: SUSPENSION OR REVOCATION OF PERMIT:**

An alarm user permit shall be revoked or suspended by the Sheriff for such period of time as decided, for any reason for which the granting of such permit might be lawfully denied, or for a violation of any provision of this Ordinance or of any rule or regulation made in implementation thereof by the Sheriff under SECTION 11.

**SECTION 10: APPEAL FROM DENIAL, SUSPENSION, OR REVOCATION:**

Every applicant for or holder of an alarm user permit shall have the right of appeal to the Board of County Commissioners upon a denial of such application; upon a suspension or revocation of such permit; or a determination of additional permit charges under SECTION 16.

**SECTION 11: AUTOMATIC DIALING DEVICES - INTERCONNECTING TO PRIMARY TRUNK-LINES:**

- (1) No automatic dialing device shall be interconnected to a primary trunkline after the effective date of this Ordinance.
- (2) Within ninety (90) days after the effective date of this Ordinance, all automatic dialing devices interconnected to a primary trunkline shall be disconnected therefrom. The owner or lessee of such device shall be responsible for having the device disconnected within the ninety (90) day time period prescribed herein.
- (3) Verified hearing impaired persons shall be exempt from the provisions of this Section and may use direct dial, recorded message alarms.

**SECTION 12: AUTOMATIC DIALING DEVICES - INTERMEDIARY SERVICES:**

- (1) Persons owning or leasing an automatic dialing device may have the device interconnected to a telephone line transmitting directly to:
  - (a) a central station;
  - (b) a modified central station; or
  - (c) a licensed answering service.
- (2) The relaying of messages by intermediary services to the Sheriff's Department may be made over a special trunkline, at the discretion of the Sheriff.

- (3) This Section shall apply only to those automatic dialing services interconnected to the Communications Center of the Sheriff's Department, or to other County Offices.

SECTION 13: PROHIBITIONS:

Whenever a police alarm system has been designed and commonly understood to alert others of the commission of a particular crime, it shall be unlawful for anyone to activate such police alarm for the purpose of summoning police, except in the event of what is reasonably believed to be such particular crime.

It shall be unlawful to install or use an alarm system, which upon activation, emits a sound similar to sirens.

SECTION 14: PERMIT CHARGES:

- (1) Administration Fee - Each owner of property upon which an automatic alarm device is located and/or each owner of an automatic alarm device which, when triggered, results in the notification of the Aitkin County Law Enforcement Center shall be assessed an annual administrative fee to off-set the costs of the Aitkin County Alarm Response Program. The initial administrative fee shall be \$20.00; thereafter, an annual alarm fee shall be assessed in the sum of \$5.00.

In addition to that fee set forth above, the owner of property upon which an automatic alarm device is located and/or each owner of an alarm device or system which is directly wired to and monitored by the dispatch center at the Aitkin County Law Enforcement Center shall be charged \$200.00 per location per calendar year for said monitoring services. Fees for partial calendar year monitoring shall be prorated.

- (2) False Alarm Fee - The owner of property upon which an automatic alarm device is located and/or each owner of an automatic alarm device shall pay a fee of \$50.00 to the Aitkin County Sheriff's Department upon said Department's third response to a false alarm and for each subsequent response to a false alarm within one calendar year. In order to avoid a false alarm fee, prior notification of the Aitkin County Law Enforcement Center of activities which may activate an alarm, such as repair, installation or testing, shall be the responsibility of the owner of property upon which an automatic alarm device is located and/or the owner of the automatic alarm device.
- (3) Compliance Fee - A \$50.00 fee shall be charged to the owner of property upon which an automatic alarm device is located and/or the owner of an automatic alarm device upon the Aitkin County Sheriff's Department's first response to an automatic alarm when said owners have not complied with the rules and regulations promulgated by said Sheriff's Department for the administration of this ordinance.

- (4) Fee Payment - In the event any fee assessed pursuant to this ordinance is not paid in full within 30 days of billing, the Aitkin County Sheriff's Department shall have the discretion to disconnect and/or not respond to the automatic alarm device owned or operated by the person(s) responsible for the payment of said fee. The property owner and/or the alarm owner or their agents shall be served with the fee statement by certified mail or by personal service by Sheriff's Department personnel in accordance with the Rules of Civil Procedure for the District Courts of the State of Minnesota applicable to the service of a summons in a civil action.

The County of Aitkin is hereby empowered to collect all fees set forth by this ordinance by all means allowed by law for collection of a debt.

- (5) The Aitkin County Sheriff's Department shall keep a record of all false alarms received by the Department. These records shall be available for inspection by alarm users and alarm businesses.
- (6) Within three (3) business days of any false alarm, the key holder or alarm company shall notify the Aitkin County Sheriff's Department either in writing or by telephone of corrective measures.

**SECTION 15: RESPONSIBILITY:**

Except for false alarms occurring in the first thirty (30) days of operation of a new alarm system, the alarm user and alarm business shall be subject to the requirements and penalties provided herein for false alarms occurring in the user's alarm system.

**SECTION 16: DISPUTES:**

All disputes or questions arising under this Ordinance should be forwarded to the Sheriff of Aitkin County, who shall investigate the matter and reach a conclusion thereon. Such final conclusion shall terminate the dispute brought before the Sheriff, subject to such right of appeal as afforded herein.

**SECTION 17: LIMITATION OF LIABILITY:**

The County of Aitkin shall be under no duty or obligation to a permittee or any other person, hereunder, by reason of any provision of this Ordinance, or the exercise of privileges of a permittee hereunder, including, but not limited to, any defects in a police alarm system, or any delays in transmission or response to any alarm.

**SECTION 18: SEVERABILITY:**

It is hereby declared to be the intention of the County of Aitkin that the several sections of this Ordinance are separable in accordance with the following:

If any court of competent jurisdiction shall adjudge any section of this Ordinance to be invalid, such judgment shall not affect any other sections of this Ordinance, not specifically included in said judgment.

**SECTION 19: ALARM CHARGES:**

Any Alarm Agent or Alarm Business shall be required to register with the Aitkin County Sheriff's Department and pay an annual fee of \$100.00.

**SECTION 20: EFFECTIVE DATE:**

This Ordinance shall be in full force and effect from and after it's passage, approval, and publication.

Public Hearing Held: SEPTEMBER 5, 1995 AT 2 P.M. IN THE AITKIN COUNTY BOARD ROOM

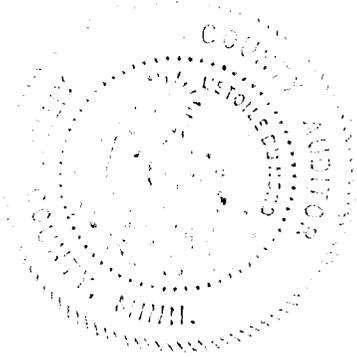
Adopted by Aitkin County Board of Commissioners: SEPTEMBER 5, 1995

Effective Date: JANUARY 1, 1996

Dated this 5TH day of SEPTEMBER, A.D. 1995

Margaret Newman  
Chairperson, Aitkin County Board of Commissioners

ATTEST:  
Alice Dotzler  
Aitkin County Auditor



RECORDED  
TRACT INDEX  
GRANTOR  
GRANTEE  
COMPARED

COUNTY RECORDER  
AITKIN COUNTY, MINNESOTA  
**F I L E D**

SEP 13 1995 9 AM

Emmett James  
As Rec. No. 292109

*[Handwritten notes and signatures in the bottom left corner]*