

CHAPTER 123

ALARM SYSTEMS

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123.01 DEFINITIONS. For the purpose of this chapter, the following terms shall have the following meanings:

1. “Alarm answering service or remote monitoring point” means a business providing the function of receiving, on a continuous basis, through trained employees, emergency signals from alarm systems and thereafter relaying a message by line voice to the Pottawattamie County division of communications (9-1-1 Center) or the police or fire departments.
2. “Alarm system” means and includes any device used to detect or prevent intrusion, criminal activity, fire, or other such emergency situations and which, when activated, causes notification to be made directly or indirectly to the Pottawattamie County division of communications (9-1-1 Center) or the police or fire departments, or any device or system designed primarily for the purpose of giving an audible or visual signal for an attempted intrusion, criminal activity, fire, or other such emergency. An alarm system does not include an alarm installed on a motor vehicle.
3. “Alarm user” means the person, firm, corporation, or entity of any kind in control of any building, structure, or facility who purchases, leases, contracts for, or otherwise obtains an alarm system.
4. “Annunciator” means that part of an alarm system which communicates the fact that the system has been triggered or activated.
5. “Audible annunciator” or “visual annunciator” means an annunciator that gives alarm by means of a bell, siren, buzzer, flashing light, or similar sound or light-producing device when activated, which is mounted at some location that is clearly visible when observed, or clearly audible at a distance of 50 feet or more outside of any building in which it is mounted. Annunciators can communicate directly with the Pottawattamie County division of communications (9-1-1 Center), or indirectly through the use of an alarm answering service or remote monitoring point.
6. “False alarm” means and includes any signal, directly or indirectly originating from an alarm system, eliciting an urgent response by police or fire or rescue personnel when a situation requiring an urgent response does not, in fact, exist. The term does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm user. The burden of proving that such alarm was not a false alarm shall be on the alarm user.
7. “Local alarm system” means and includes an alarm system that, when activated, causes an audible and/or visual signaling device to be activated and is intended to be seen and/or heard by others outside of the protected premises.

8. "Pottawattamie County division of communications 9-1-1 Center" means the 9-1-1 Center located on the basement level of the Pottawattamie County Courthouse in Council Bluffs, Iowa.

123.02 REGISTRATION. It is unlawful for any alarm user to use or operate any alarm system without a current valid registration therefor. Any person, firm, or corporation installing an alarm system shall have thirty (30) days from the date of installation to register the alarm system.

1. Application. The application for an alarm system registration shall list:
 - A. For individuals: The registrant's name, Oakland Fire District address, telephone number, date of birth, and social security number. For firms or corporations: The registrant's name, Oakland Fire District address, telephone number, beginning date of operation in Pottawattamie County, and federal employer identification number.
 - B. The protected property's address, any business name by which the premises is known, including the name of the complex or center where it is located, the type of premises it is, and the telephone number(s) for the protected property.
 - C. Type of alarms and/or signals being communicated by the annunciator and the type of activity indicated by the alarm systems.
 - D. The name, home, or business address and telephone number of the owner, if applicable, lessee, or occupant of the protected premises.
 - E. The name, business address, and telephone number of three natural contact persons, or an alarm answering service, having ready access to the protected premises and who may be called upon to assist in the event the alarm is activated.
2. Issuance, Expiration, Renewal and Termination.
 - A. Upon receipt of the registration application, the Mayor, if it is determined that the proposed system will comply with the provisions of this chapter, will issue a registration to the applicant. Such alarm system shall be deemed to comply with the provisions of this chapter if the system has been installed by: (i) a business or individual licensed to perform such installation services in Pottawattamie County; or (ii) a business or individual holding itself or himself or herself out to the public as being qualified to perform such installation services; or (iii) a business or individual experienced in performing such installation services. The registration will bear the applicant's identifying number and expiration date in addition to the terms and conditions stated in Section 123.03, which must be complied with to keep the registration in full force and effect.
 - B. The registration shall expire 24 months after the date of its issuance, and may be renewed in the same manner as original registrations are obtained.
 - C. Renewal registrations will be dated on the date of issuance. The renewal application shall contain the applicant's signed statement, stating that there have been no changes in any of the information furnished on the previous application.

D. An alarm system registration shall automatically terminate upon any change of alarm user or protected premises. No registration is transferable to new premises or new user.

123.03 DUTIES. All registration holders shall:

1. Within ten days following any change of information contained within the application, file an amendment to his or her application setting forth the currently accurate information.
2. Cause to be trained and retrained all employees, family members, and other persons who make regular use of the protected premises and who may, in the normal course of their activities, be in a position to accidentally trigger an alarm. Such training shall include procedures and practices to avoid accidental alarms, and steps to follow in the event the system is accidentally triggered.
3. At all times be responsible for the proper maintenance and repair of the system and for the repair and/or replacement of any component, method of installation, design feature, or like condition which may give rise to a false alarm.
4. Set or program each alarm system so that each audible annunciator will automatically silence within fifteen minutes after being activated and will not sound again unless a new act or circumstance triggers it. Annunciators associated with fire alarms shall not be required to shut off automatically, nor shall water-flow alarms with local annunciators only be regulated by this chapter.
5. At all times abide by and comply with the rules and regulations for the operation of an alarm system established by this chapter and incorporated into the grant of the alarm system registration by this reference.

123.04 PROHIBITION AND TERMS.

1. No alarm system shall be installed, used, or maintained in violation of any of the provisions of this chapter.
2. No test of an alarm system incorporating a local audible annunciator shall be conducted between the hours of 10:00 p.m. of any day and 7:00 a.m. of the following day. No test of any alarm system shall be conducted contrary to the rules and regulations adopted pursuant to this code, nor contrary to applicable State law.
3. At any time prior to or following the issuance of any registration, the Mayor may conduct such investigation as determined necessary to verify that the information furnished by the applicant is accurate, and that the alarm system is in conformance to this chapter. Such alarm system shall be deemed to conform with the provisions of this chapter if the system has been installed by: (i) a business or individual licensed to perform such installation services in Pottawattamie County; (ii) a business or individual holding itself or himself or herself out to the public as being qualified to perform such installation services; or (iii) a business or individual experienced in performing such installation services.

123.05 REVOCATION OF REGISTRATION. The Mayor may, upon the recommendation of the director of the Pottawattamie County Division of Communications (9-1-1 Center) or the City's legal department, after notice to registrant and a hearing on the proposed action at which the hearing officer confirms that registrant is in violation of the provisions of this chapter, revoke any outstanding registration and prohibit any further use of

the alarm system in question until such time that the Mayor determines that the alarm system in question conforms to the provisions of this chapter.

123.06 PENALTY. In the event the Pottawattamie County 911 Center receives a false alarm, the alarm user shall be deemed guilty of a municipal infraction and required to pay a service fee after the first offense in any given calendar year, in accordance with the following schedule:

1. Next two (2) false alarms per calendar year, user shall pay \$150.00 per false alarm.
2. Next three (3) false alarms per calendar year, user shall pay \$250.00 per false alarm.
3. Over six (6) false alarms per calendar year, user shall pay \$500.00 per false alarm.

All money received in payment of said municipal infractions shall be deposited in the City's fire fund and made available for use by the fire department.

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