

MILWAUKEE COUNTY, WISCONSIN

ORDINANCE NO. 834


AN ORDINANCE CREATING SECTION 12.21 OF THE VILLAGE OF
GREENDALE MUNICIPAL CODE – PRIVATE ALARM SYSTEMS

WHEREAS, The Village of Greendale shall regulate the installation of private alarm systems in order to improve the proper emergency response for true emergencies and reduce the unwarranted response emergency resources for false alarms.

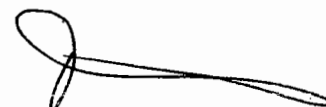
NOW, THEREFORE, the Village of Greendale, Wisconsin, Board of Trustees does hereby ordain the following:

- I. Section 12.21 of the Village of Greendale Municipal Code is hereby created to read as written in Exhibit "A", hereby incorporated in its entirety by reference herein.
- II. This Ordinance shall become effective January 1, 2007.

PASSED AND APPROVED, this 7th day of November, 2006, by the Village Board of Trustees, Village of Greendale, County of Milwaukee, Wisconsin.


John R. Hermes
President

ATTEST:


Todd K. Michaels
Clerk-Treasurer

Attachment – Exhibit "A" – Private Alarm System Ordinance

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12.21 Private Alarm Systems

Section 1 Purpose:

A.) The purpose of this ordinance is to encourage Alarm Users to properly use and maintain the operational effectiveness of Alarm Systems in order to improve the reliability of Alarm Systems And reduce or eliminate False Alarms.

B.) This ordinance governs Alarm Systems intended to summons law enforcement and Fire Department response, and requires registration, establish fees, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension of police response or revocation of registration.

Section 2 Registration Required; Application; Fee;

(A) No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm registration. A separate alarm registration is required for each alarm site.

(B) The fee for an alarm registration or alarm registration renewal is set forth below and shall be paid by the alarm user. No refund of a registration or registration renewal fee will be made. The initial alarm registration fee must be submitted to the Alarm Administrator within five (5) days after the alarm system installation or alarm system takeover.

(1) Registration Fee (See Appendix A for fees)

(2) The Chief of Police, or his designee shall be the Alarm Administrator and shall develop and administer the alarm registration form accordingly. The registration form will include such information as the applicant's name, complete address (including apt/suite number), and telephone numbers of the person who will be the registration holder and be responsible for the proper maintenance and operation of the Alarm System and payment of fees assessed under this article, etc...

(3) Each alarm site shall be classified as either residential (includes apartments, condos, mobile homes.), commercial businesses or Financial Institutions

(4) Each Alarm System located at the Alarm Site shall also be classified to inform the Village about the purpose of the system (i.e. Burglary, Hold-up, Duress, Panic, Intrusion, Fire or other) and classified as to whether such alarm is silent or audible.

(5) The registrant shall also provide the mailing address, if different from the address of the Alarm Site

(6) The registrant shall also identify any dangerous or special conditions present at the Alarm Site.

(7) The registrant shall also provide the names and telephone numbers of at least two individuals who are able to and have agreed to: (a) receive notification of the Alarm System activation at any time; (b) respond to the Alarm Site within 30 Minutes; and (c) upon request can grant access to the Alarm Site if necessary.

(8) The registrant recognizes that the Law Enforcement response may be influenced by factors including, but not limited to the availability of police units, priority calls, weather conditions, traffic conditions, emergency conditions, staffing levels, etc.

- C. All fees owed by an applicant must be paid before an Alarm Registration may be issued or renewed.

Section 3 ALARM REGISTRATION DURATION AND RENEWAL

An Alarm Registration shall expire December 31st from the date of issuance, and must be renewed annually for businesses and Financial Institutions by submitting an updated application and a registration renewal fee to the Alarm Administrator. Residential alarm systems do not need to be annually renewed, unless there is a new property owner, which is then subject to a new registration fee. The Alarm Administrator shall notify each Alarm User of the need for renewal thirty (30) days prior to the expiration of the registration. It is the responsibility of the Alarm User to submit an application prior to the registration expiration date. Failure to renew will be classified as a use of non-registered Alarm System and fees and penalties will be assessed without waiver. A \$25.00 Late fee may be assessed if the renewal is more than thirty (30) days late.

Section 4 DUTIES OF ALARM USER

A. An Alarm User shall;

(1) Maintain the Alarm Site and Alarm System in a manner that will minimize or eliminate False Alarms.

(2) Make every reasonable effort to have a Responder to the Alarm System's location within thirty (30) minutes when requested by the law enforcement agency in order to:

- a.) deactivate the Alarm System
- b.) provide access to the Alarm Site; and/or

- c.) provide alternative security for the Alarm Site
- B. An Alarm User shall not use Automatic Voice Dialers.
- C. The Alarm Administrator shall establish a procedure for the notification to the Alarm User of the False Alarm. The notice shall include the following information.
 - 1. The date and time law enforcement officer responded to the False Alarm.
 - 2. A statement urging the Alarm User to ensure that the Alarm System is properly operated, inspected, and serviced in order to avoid False Alarms and resulting fees.
- D. The Alarm Administrator will make available a copy of this ordinance and/or an Ordinance summary sheet available to Alarm Users.

Section 5 FEES

- A. An Alarm User shall be subject to fees, depending on the number of false alarms within a 12-month period upon a schedule approved by the Village Board {See Appendix A}. The Village Board of Trustees may revise and amend all fees from time to time by the passage of a resolution.
- B. In addition, any Person operating a non-registered Alarm System will be subject to a fine {See Appendix A} for each False Alarm in addition to any other fees. The Alarm Administrator may waive the additional fees for a non-registered system if the Alarm User submits an application for Alarm Registration within ten (10) days after the notification of such violation.

Section 6 NOTIFICATION

- A. The Alarm Administrator shall notify the Alarm User in writing after each False Alarm. The notification shall include: the amount of the fee for False Alarms.
- B. The Alarm Administrator may adjust the count of False Alarms based on:
 - 1. Evidence that a False Alarm was caused by an act of God;
 - 2. Evidence that a False Alarm was caused by action of a telephone company.
 - 3. Evidence that a False Alarm was caused by a power outage lasting longer than four (4) hours.
 - 4. Evidence that the Alarm Dispatch Request was not a False Alarm.

5. Evidence that the law enforcement response was not completed in a timely fashion.
6. In determining the number of False Alarms, multiple alarms occurring in any twenty-four hour period shall be counted each time as a False Alarm;

Section 7. Enforcement and Penalties:

- A. Enforcement will be handled by the Police Department based the penalty stipulation for false alarms. If the billing is not paid the assessment shall be placed on the Alarm Users taxes. The Alarm User may also have their permit suspended until paid.

Section 8. Confidentiality

In the interest of public safety, all information contained in and gathered through the Alarm Registration applications shall be held in confidence by all employees or representatives of the municipality and by any third party administrator or employee of the third party administrator with access to such information.

Section 9. Government Immunity

Alarm Registration is not intended to, nor will it, create a contract, duty, obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an Alarm Registration , the Alarm User acknowledges that law enforcement response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

Section 10 False Fire Alarms--Fees fire response.

- A. For the purpose of this section, the term "false alarm" shall mean the activation of a fire alarm by other than a fire, smoke condition, proper use of a manual pull station or other situation which would activate a fire alarm
- B. For a fire department response to a non-valid alarm as a result of negligence or improper maintenance of the alarm system, the Village shall charge and collect from the owned or occupant having the responsibility to monitor and/or maintaining the system within or for the building, fees as follows:

1. For a response to a premises from which an invalid alarm has not occurred within a preceding six-month period, hereinafter referred to as the first response, no fee shall be charged. The person having or maintaining such alarm system shall, within three working days after notice to do so, make a report to the fire department for a fire alarm setting forth the cause of such an alarm, the corrective action taken, whether the alarm has been inspected by an authorized service man, and such other information as the fire chief may reasonably require to determine the cause of such false alarm and corrective action necessary.
 2. For a second response to a premises within six months after a first response, no fee shall be charged, but a written report shall be required as for a first response and the fire chief shall be authorized and may cause to be inspected the alarm system at such premises, prescribe necessary action and give notice to the person having or maintaining such alarm system of the conditions and requirements of this section.
 3. For a third response to a premises within six months after a second response, and for all succeeding responses within six months of the last response, a progression fee of \$50, \$100, \$200, \$300 not exceed \$1,000 shall be charged.
 4. Outside monitoring; fire alarms installed in any privately owned property, business firm or corporation, which are monitored by any entity are subject to the same false alarm penalties set forth in subsection B of this section.
- C Where a required fire alarm system is out of service for more than 4 hours in a 24 hour period, the fire department shall be notified, and the building shall be evacuated or an approved fire watch shall be provided for all parties left unprotected by the shutdown until the fire alarm system has been returned to service.

Appendix A

Fines & Fees

Description	Fee/Fine
Registration Fee (Business) Yearly	\$50.00
(Residential) One time only	\$25.00
Late Fee	\$25.00 (30-days or more late)
1 st False Alarm	Free
2 nd False Alarm	Free
3 rd False Alarm	\$50.00
4 th False Alarm	\$100.00
5 th False Alarm	\$200.00
6 th False Alarm	\$300.00
7 th False Alarm	\$400.00
8 th False Alarm	\$500.00
9 th False Alarm	\$600.00
10 th False Alarm	\$700.00
Any alarm after the 10 th	\$1,000.00
Operating a non- registered Alarm System.	\$100.00

FIRE ALARM FEES:

For a third response to a premises within six months after a second response, and for all succeeding responses within six months of the last response, a progression fee of \$50, \$100, \$200, \$300 not exceed \$1,000 shall be charged.

The Village Board of Trustees may revise and amend all fees from time to time by the passage of a resolution.

Revised November 7, 2006