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**CHAPTER 127. ALARM SYSTEMS**

9.210. Finding of Fact. The City Council finds and declares that it is in the public interest and public welfare to regulate residential and business security alarm systems.

(Ordinance No. 1993-5, 05-04-1993)

9.211. Definitions. The following terms, when used in this Chapter, shall have the meaning set forth in this section:

(1) Alarm System is defined as a detection device or an assembly of equipment or devices arranged to signal the presence of a hazard requiring urgent attention and to which Police Officers and/or Fire Department personnel are expected to respond. The term "alarm system" shall encompass burglar alarms and fire alarms.

(a) "Alarm Systems on Motor Vehicles" shall be excluded from the definition and operation of this Chapter unless the motor vehicle alarm is connected to an alarm system at the premises owned and/or leased by the user.

(b) "Internal Alarm Systems."

1. "Signals Within The Premises Excluded." Also excluded are internal alarm systems designed solely to alert or signal persons within the premises in which the alarm system is located of an unauthorized intrusion or the presence of a hazard within said premises.

2. "Signals Outside The Premises Included." If such an internal system also employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside the premises, such an alarm system is within the provisions of this Chapter.

(2) Alarm User is defined as any person, firm, or corporation who is the owner, and any person, firm or corporation who is a lessee of said owner of premises in which an alarm system as defined in subsection 9.211 (1) is installed and maintained.

(3) Burglar Alarm is defined as an alarm within the definition of subsection 9.211 (1) which is designed to detect an unwarranted intrusion into a premise or an attempted robbery or other violent act at a premise. The term "burglar alarm" includes the terms "automatic hold-up alarm," "intrusion alarm," "disturbance alarm," "panic alarm," "robbery alarm," "hold-up alarm" and "local alarm."

(4) False Alarm means activation of an alarm system through mistake, mechanical failure, malfunction, improper installation, lack of prudent maintenance, or through the negligence of the occupant of the residence and/or building in which the alarm system is located, including their employees or agents. False alarm shall also mean any activation of an alarm system which indicates a crime or situation other than that which it was designated to indicate, or in the case of a fire alarm, any condition not resulting from a fire or potential fire hazard.

(5) Fire alarm is defined as an alarm system within the definition of subsection 9.211 (1) which is designed to detect and provide warning of a fire emergency, including local alarms.

(a) "Internal Fire Suppression Equipment Excluded." Smoke detectors or other internal fire suppression equipment designed to monitor products of combustion and temperature rise and at a predetermined

measurement discharge fire extinguishing substances are excluded from the definition and coverage of this Chapter.

(b) "Suppression With Signals Outside Premise Included." If such smoke detectors or fire suppression devices are connected to or are a part of a system designed to signal persons outside the premises in which such detection equipment is located that a fire hazard exists on said premises, then such internal detection and suppression equipment is included within this definition.

(6) Local Alarm is defined as an alarm system within the definition of subsection 9.211 (1) which employs audible signals designed to alert persons outside the premises in which the alarm system is located.

(Ordinance No. 1993-5, 05-04-1993)

9.212. False Alarm Fee Schedule to be Established by Resolution. Any person, firm, or corporation operating an alarm system which signals more than two (2) false alarms as defined in subsection 9.211 (4) within one (1) fiscal year (July 1 through June 30) beginning July 1, 1993, shall pay to the City of Frankenmuth a false alarm fee in order to defray a portion of the cost of response to false alarms. The fees shall be established by City Council resolution.

(Ordinance No. 1993-5, 05-04-1993)

9.213. Exceptions to Alarm Fees. Alarm conditions existing under the following circumstances shall not constitute a false alarm and no false alarm fee shall be assessed:

(1) False alarms recorded in the first thirty (30) days after installation will not be counted for enforcement purposes. The alarm user shall be obligated to provide documentation as to the beginning of the thirty-day time period.

(2) False alarms recorded as a result of storms, earthquakes, or other violent conditions beyond the control of the alarm user.

(3) Alarm conditions being activated by a person working on the alarm system with prior notification to the City of Frankenmuth Police Department.

(4) Alarms which can be substantiated as being activated by disruption or disturbance of telephone company facilities or motor vehicle-utility pole accidents.

(Ordinance No. 1993-5, 05-04-1993)

9.214. Notice of Alarm Violation. The City Clerk will forward a notice to the alarm user following each false alarm occurrence after the second alarm. The notice following the second false alarm will warn the alarm user of the consequence of any additional false alarms. Following the third and any subsequent false alarm, said notices will include a statement of the fee owed based on the terms of this Chapter. The alarm user will have ten (10) days to respond to the notice with payment of fees and a status report on the solution to the problem of false alarms.

(Ordinance No. 1993-5, 05-04-1993)

9.215. Disclaimer of Obligation. This chapter does not constitute a contract for the City of Frankenmuth to answer any alarms whether false or otherwise. This Chapter does not guarantee that the Police or Fire Departments will

respond to any alarm from any source. This Chapter does not obligate the City of Frankenmuth or its Police and/or Fire Departments in any manner to assist, respond, or answer any alarm system subscribed to or owned by any individual, organization or business.

(Ordinance No. 1993-5, 05-04-1993)

9.216. Violation; Municipal Civil Infraction. A person who violates any provision of this Chapter is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00 nor more than \$500.00, plus costs and other sanctions, for each violation. Repeat offenses shall be subject to increased fines as provided by Section 1.12(3)(b) of this Code. The City Manager is hereby designated as the authorized City official to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction violation notices (directing alleged violators to appear at the City of Frankenmuth Municipal Ordinance Violations Bureau) for violations under this Chapter as provided by this Code.

(Ordinance No. 2002-05, 08-07-2002)