

19.700 ALARM ORDINANCE* CITY OF ST. CLAIR SHORES, MICHIGAN Ord.
Effective: January 22, 1991

"Section 1. The City of St. Clair Shores ordains that its Ordinance to Provide for the Regulation of Alarms Systems, False Alarms and the Installation of Alarm Systems and to Provide Penalties for the Violation Thereof shall be entitled the St. Clair Shores Alarm Ordinance."

19.701 Alarm systems; false alarms.

Sec. 1.

A. Definitions. For the purpose of this section, the following definitions shall apply:

- (i) Alarm System. The term "alarm system" shall mean an assembly of equipment and devices, or a single device, except for an alarm system on a motor vehicle, arranged to signal the presence of a hazard requiring urgent attention to which Police and/or Fire departments are expected to respond.
- (ii) Subscriber. The term "subscriber" includes but is not limited to any public service, utility, Fire Department or police agency.
- (iii) Telephone Number. The term "telephone number" includes any additional numbers assigned by a public utility company, engaged in the business of providing communication services and facilities to be used by means of a rotary or other system to connect with the subscriber to such primary number when the primary telephone number is in use.
- (iv) False Alarm. The term "false alarm" means the activation of an alarm system causing a sound or visual signal through mechanical failure, faulty equipment, malfunction, improper installations, or the negligence or improper or mistaken use by the owner or lessee of an alarm system or of his employees or agents which shall be established when there is no evidence of criminal activity, or illegal entry or an attempt thereof, fire or need for medical attention upon the activation of the alarm system with the following exceptions:
 - a. Severe storm conditions.
 - b. Alarm system malfunction, if corrective measures have been taken or installed within five (5) days thereafter, and a copy of a repair order by a licensed alarm system contractor is provided within thirty (30) days of the false alarm except as follows: no penalty shall be imposed for three (3) such alarm system malfunctions in a calendar year. However, more than three shall

be considered false alarms, and the following penalties of section 1H of the ordinance shall apply as follows: the fourth such malfunction shall trigger the penalty provided in section 1H (ii); the fifth such malfunction shall trigger the penalties in section 1H (iii), and the sixth such malfunction shall trigger the penalties in section 1A (iv).

- c. False alarms that can be substantiated as being activated by disruption or disturbance of Michigan Bell Telephone company facilities.
- d. Utility pole accidents.
- e. A testing of the alarm system when prior notification has been received by the Police Department and/or Fire Department.
- f. Where the fee has been waived by the Chief of Police or his designee because there has been a request for waiver due to documented extenuating circumstances.
- g. [Repealed effective February 20, 1991.]

- B. Automatic Dialing Prohibited.** It shall be a violation of this section for any person to sell, install, use, operate, adjust, arrange for, or contract to provide a device or combination of devices that will, upon activation, either mechanically, electronically, or by other means initiate the automatic calling, dialing or connection directly to any St. Clair Shores Police Department or Fire Department telephone number.
- C. Registration Required by Owner.** Any person, firm or corporation who owns leases or occupies a premise in which an alarm system is installed, used, or maintained shall register such alarm system with the City of St. Clair Shores Police Department on forms provided by the City.
- D. Registration Fees.** A registration fee *of \$30 is set to cover administrative costs to record the alarm location and contact personnel. Failure to register an alarm system shall result in a fee of \$60 to cover the costs incurred to register the alarm system, contact personnel and to search for a registration.*
- E. Name, Address and Phone Numbers Required.** A person, firm or corporation who registers a system with the St. Clair Shores Police Department shall provide the Chief of Police of the City of St. Clair Shores with its name, the telephone number and address of the premises where the alarm system is located, and also the name and telephone number of at least one other person, firm or corporation who can be reached at any time, day or night, and who, within a thirty-minute response time, can open the premises in which the alarm system is installed and deactivate the audible and/or visible signal. *This information is to be updated at least annually with a re registration of the alarm system.*
- F. Automatic Shutoff Required.** It shall be a violation of this section for any person, firm or corporation to maintain and operate an alarm system equipped with audible signal(s) (bells, horns, sirens, etc.) that is not equipped with a shutoff device that automatically silences the audible signal(s) within ten (10) minutes of said signal activation. This section shall not apply to fire alarm systems.
- G. [Liability.]** Persons, firms or corporations using, owning, leasing, or occupying a premises in which an alarm system exists on the effective date of this ordinance shall comply with the requirements of subparagraphs C, D, E, and F above by January 1, 1991, and shall be jointly and severally liable for violations of this ordinance section. Failure to comply with this section would result in a \$25.00 fine.
- H. Violations.** Except as specified in subsection paragraph A (iv), the occurrence of a false alarm or other prohibition of this ordinance shall constitute a violation of this ordinance section and shall be punishable as civil infraction by imposition of civil fines as follows:

(i) First activation required responses by Police/Fire Department, within a fiscal year (July 1 – June 30). . . No charge

(ii) Second and each subsequent activation requiring response by the Police/Fire Department, within a fiscal year (July 1 – June 30):

Residential \$30.00

Commercial \$100.00

(iii) Late fees of 2% per month or part of month shall apply to any outstanding balance 30 days past the invoice date or older.

(iv) In the event the above-specified fees are not paid by the June 1 subsequent to the invoice, then all such fees and penalties shall become a lien upon the land where the alarm system is located and may be collected by the addition of same to the tax rolls or assessments imposed by the City on the subject property.

19.702 Licensing and regulation of alarm installers.

Sec. 2.

- A. License Required by Installer. It shall be a violation of this section for any person, firm or corporation to engage in the business of installing an alarm system unless such person has been licensed by the State of Michigan in accordance with Public Act No. 190 of 1975 as amended (MCL 338.1051).
- B. Misrepresentation by Alarm Contractor. It shall be a violation of this section for any person, firm or corporation who is an alarm contractor, or its agent, to knowingly misrepresent any services rendered to an alarm user.
- C. Violations. All violations of this ordinance section by any person, firm or corporation shall be considered a civil infraction and punishable by a civil fine of up to **\$1,000.**

Amended items noted by underlining, italics and BLUE bold.
As amended 4/24/07