

Chapter 8.10

FALSE ALARMS

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*Alarm:* Any signal conveyed by a security device or a person, whether visual, auditory or tactile, or any communications by telecommunication device, for the purpose of indicating the unlawful presence of a person on real property or in a vehicle, or the existence of a fire.

*False Alarm:* Any alarm which occurs because of a malfunction in a security device due to lack of, or improper, maintenance of the security device; any alarm which is conveyed as a result of a security device being tripped by a person authorized to be on real property or in a vehicle, but which occurs as a result of the negligence by, or intentional act of, the person in failing to disable the alarm; any conveyed by a person when the person knows or should have known that no unlawful presence was occurring or had occurred.

*Person:* Any individual, association, partnership, corporation, limited liability company, or other entity in law or in fact.

*Security Device:* Any electronic device which conveys an alarm.

*Telecommunications Device:* A telephone. Cell phone, computer with Internet access, or other similar device designed to convey voice or visual information over a mass communications network. (Ord. 2002-05 § 1, 2001)

8.10.020 Security Devices—Maintained.

Any person having a security device on any real property or in any vehicle owned or controlled by the person shall maintain the security device in good and proper working order. All security devices shall be tested by the person having such ownership or control not less than twice annually, and the results of such tests shall be retained by the person for a period of not less than two years from the date of testing. (Ord. 2002-05 § 2, 2001)

8.10.030 Training—Required.

Any person having a security device on any real property or in any vehicle owned or controlled by the person shall properly train any person having access to the real property or vehicle of the proper method for disabling the security device. All such training shall be given prior to the time any such person has access to the person’s real property or vehicle. Any person making such training shall make and retain a record that such training occurred, and the record of such training shall be retained by the person for a period of not less that two years from the date of testing. (Ord. 2002-05 § 3, 2001)

8.10.040 Rebuttable Presumption Created.

The failure to make and retain the records required by Section 2 and 3 of this ordinance shall create a rebuttable presumption that such maintenance or training did not occur. (Ord. 2002-05 § 4, 2001)

8.10.050 False Alarm--Prohibited

No person shall make, cause or permit to be

made, or engage in any act or omission which causes or permits to be made, any false alarm. *(Ord. 2002-05 § 5, 2001)*

**8.10.060 Penalty.**

(A) Any person found to have violated this ordinance shall be subject to a penalty, not to exceed \$100, with a mandatory minimum penalty of \$50.

(B) Any person found to have violated this ordinance on successive occasions shall be subject to enhanced penalties. If a person is found to have violated this ordinance within one year of the first violation, then the penalty imposed shall be an amount not less than twice the amount of the fine imposed upon first violation. If a person is found to have violated this ordinance a third time, at any time thereafter, then the penalty imposed shall be an amount not less than triple the penalty imposed of the second violation, but not to exceed \$750. *(Ord. 2002-05 § 6, 2001)*

**8.10.070 Penalty.**

The sections and subsections of this ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections. *(Ord. 2002-05 § 7, 2001)*