TOWN OF ADDISON, TEXAS

ORDINANCE NO. 17-032

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS REPEALING ORDINANCE NOS. 000-0001 AND 006-049 AND AMENDING ARTICLE III (ALARM SYSTEMS) OF CHAPTER 30 (EMERGENCY SERVICES) OF THE CODE OF ORDINANCES TO REGULATE BURGLAR, ROBBERY, PANIC ALARMS AND PERSONS ENGAGED IN RELAYING ALARM NOTIFICATIONS; PROVIDING FOR THE ISSUANCE AND REVOCATION OF PERMITS AND FOR THE ESTABLISHMENT OF PERMIT FEES; PROVIDING FOR AN APPEAL PROCEDURE FOR SUSPENSION, TERMINATION OR NON-RENEWAL OF A PERMIT; PROVIDING FOR THE ENFORCEMENT OF SUCH REGULATIONS; PROVIDING FOR A SERVICE CHARGE FOR FALSE ALARMS; PROVIDING FOR THE DUTIES ASSOCIATED WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING SIGNAL LINES FOR FINANCIAL INSTITUTIONS PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE; AND PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS ($500.00) FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas ("City Council") has investigated and determined that that it would be advantageous and beneficial to the citizens of the Town of Addison, Texas ("Town" or "Addison") to repeal Ordinance No. 006-049 and to amend Code 1982, Section 3 and Ordinance No. 000-0001 of Article III (Alarm Systems) of Chapter 30 (Emergency Services) of Addison's Code of Ordinances ("Code of Ordinances") as hereinafter set forth; and

WHEREAS, the City Council finds that it is in the best interests of the citizens of Addison to: regulate burglar, robbery, panic alarms and persons engaged in relaying alarm notifications; providing for the issuance and revocation of permits and for the establishment of permit fees; providing for an appeal procedure for the suspension, termination or non-renewal of a permit; providing for the enforcement of such regulations; providing for a service charge for false alarms; providing for the duties associated with the provisions of this Ordinance; providing for signal lines for financial institutions and providing for the penalties associated with the violation of this Ordinance as set forth below; and

WHEREAS, the City Council has further investigated and determined that it is in the best interest of the Town and its citizens to amend the Code of Ordinances as set forth below.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS THAT:

Section 1. Findings Incorporated. The findings set forth above are incorporated herein as if set forth verbatim.

Section 2. Ordinance Nos. 000-001 and 006-049 Repealed. Addison Ordinance Nos. 000-001 and 006-049 are repealed in there entirety and replaced by this Ordinance. The effective date of the repeal discussed in this Section shall not occur until the effective date of this Ordinance at which time Ordinance Nos. 000-001 and 006-049 shall be repealed. Such repeal shall not abate any pending prosecution and/or lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of Ordinance Nos. 000-001 and 006-049 occurring before the effective date of this Ordinance and shall not prevent false alarms occurring under Ordinance Nos. 000-001 and 006-049 to be counted towards the total number of false alarms when applying this Ordinance.

Section 3. Amendment to Article III (Alarm Systems) of Chapter 30 (Emergency Services) of the Code of Ordinances. Article III (Alarm Systems) of Chapter 30 (Emergency Services) of the Code of Ordinances is hereby amended to revise Article III (Alarm Systems) in its entirety as follows:

"**Article III. Alarm Systems**

Division 1. Generally.

Sec. 30-61. - Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act of God means an extraordinary interruption by natural causes (such as flood, earthquake, or sever weather) or the usual course of events that experience, foresight or care cannot reasonable foresee or prevent.

Alarm Administrator means a Person or Persons designated by the Chief of Police to administer, control, and review False Alarm reduction efforts and administer the provisions of this Ordinance including the Alarm Administrator's authorized designee.

Alarm Company means any person who is in the business to sell, install, service or monitor an Alarm System located at an Alarm Site.

Alarm Dispatch Request means a notification to the Communications Center that an alarm, whether manual or automatic, has been activated for a particulate Alarm Site.

Alarm Permit or Permit means a certificate, license, permit, registration or other form of permission from the Alarm Administrator that authorizes a person to operate an Alarm System at an Alarm Site.

Alarm Site means a single fixed premise or location served by an Alarm System or Systems that is under the control of one owner or tenant. Each unit if served by a separate Alarm System in a multi-unit building or complex shall be considered a separate Alarm Site and is further defined by the following categories:

1. Residential Site means a single-family residence and each residential unit of a multi-family unit building which is served by an Alarm System.

2. Commercial Site means every premise or location where any business activity is regularly conducted and which is served by an Alarm System. For any business within the premises that is served by a separate Alarm System, shall be considered a separate Alarm Site.

3. Educational site means every premise or location of a public or private school and their administrative offices.

4. Governmental site means every premise or location of any federal, state, county or local government office.

Alarm System means a device or system that transmits or relays a signal intended to summon emergency services of the Town. Alarm System does not include:

1. An alarm installed on a vehicle unless the vehicle is used for habitation at a permanent site.

2. An alarm designed to alert only the inhabitants of a premises; nor

3. An alarm installed upon premises occupied by the Town.

Alarm User means any Person who has contracted for monitoring, repair, installation, or maintenance services from an Alarm Company for an Alarm System, or a Person who owns or operates an Alarm System that is not monitored, maintained or repaired under contract with an Alarm Company.

Arming Station means a device that allows control of an Alarm System.

ANSI Standard means the American National Standards Institute, an independent organization that approves standards that have been through an approval process and are accepted as standard.

Automatic Voice Dialer means any electrical, electronic, mechanical or other device capable of being programmed to send a prerecorded voice message, when

activated, over a telephone line, radio or other communication system to the Communications Center requesting dispatch to an Alarm Site.

Burglar Alarm Notification means the notification intended to summon the police, which is initiated or triggered manually or by an Alarm System designed to respond to a situation characteristic of an unauthorized intrusion.

Cancellation means the process where the Public Safety Response is terminated when an Alarm Company notifies the Communications prior to the Public Safety Response arrival at the Alarm Site.

Communications Center means the entity providing public safety communications services for the Town of Addison Police and Fire departments; also known as a Public Safety Access Point (PSAP), this function is currently assigned to the North Texas Emergency Communications Center (NTECC).

Conversion means the transaction or process by which one Alarm Company begins monitoring an Alarm System previously monitored by another Alarm Company.

CP-01 ANSI/SIA Control Panel Standard means an alarm control panel that is listed and approved by Underwriters Laboratories as compliant with the standard.

Day(s) means calendar days.

Director means the Chief of Police or his/her authorized representative.

ECV means the ANSI/CSAA CS-V-01 Standard for the telephonic verification of intrusion alarms.

False Alarm or False Alarm Notification means an alarm notification to summon a Public Safety Response and there is no evidence of a need for a Public Safety Response.

False Burglar Alarm Notification means a burglar alarm notification to the police, and when the responding police officer finds no evidence of unauthorized intrusion or attempted unauthorized intrusion.

False Panic Alarm Notification means an emergency alarm notification has been made to the communication center, and the responding public safety personnel find no evidence or circumstances requiring an emergency response.

Late Fee means the fee charged for failing to pay the original fee owed for a False Alarm, permit renewal fee, or other allowable fee that is not paid on time. The Late Fee is in addition to the amount originally owed.

Panic Alarm Notification is an emergency alarm notification that is manually triggered and related to the Communications Center for the purpose of summoning a public safety response.

Permit Holder means a person issued an Alarm Permit.

Person means an individual, corporation, partnership, association, organization or other entity.

Public Safety Response means a response by Town of Addison Police, Fire and/or Emergency Medical Services personnel.

Responder means an individual capable of reaching the Alarm Site within thirty (30) minutes and has access to the Alarm Site, including the code, and is able to disarm the False Alarm, and to authorize repairs to the Alarm System.

Robbery Alarm Notification means a silent Alarm System signal generated by the entry of a designated code into an Arming Station in order to signal that the Alarm User is being forced to turn off the Alarm System and requires a law enforcement response. It also include a silent alarm generated by the manual activation of a devise to signal a robbery in progress or immediately after it occurred.

Takeover means the transaction or process which an Alarm User takes control of an existing Alarm System that was previously controlled by another Alarm User.

Unregistered Alarm Site means an Alarm Site, as defined by this Ordinance, that does not have a Permit in accordance with this Ordinance at the time of the False Alarm Notification nor is in the process of receiving a Permit by the acceptance of an application by the Town.

Verify means an attempt by the Alarm Company to contact the Alarm Site or Alarm User by telephone, including text message, whether or not actual contact is made.

Sec. 30-61. - Permit and Fee Required: Application, Duration, Renewal Transferability

a. Permit Required. Any person owning or operating an Alarm System must apply for a permit within thirty (30) days of installation of the Alarm System. A person commits an offense if he fails to apply for a permit within thirty (30) days after installation of the Alarm System and/or if he thereafter operates or causes to be operated an Alarm System without a valid permit issued pursuant to this Ordinance. A separate permit application is required for each Alarm Site and each type of Alarm System. It is a defense to prosecution if the permit application has been submitted to the Alarm Administrator in accordance with this Ordinance and the Alarm Administrator is processing the permit application.

b. Fees.

1. There is no fee required for a residential alarm permit or renewal of a residential alarm permit. The annual, nonrefundable fee for each commercial permit is Fifty Dollars ($50.00), including each renewal of a commercial permit.
2. A permit is valid for a period of twelve (12) months from the date of issuance. Permits must be renewed within ten (10) days of the expiration of the previously issued permit. An updated application and registration renewal fee must be submitted for renewal.
3. Governmental and public education sites are exempt from all permit fees, false alarm charges, service fees and fines that are assessed under this Ordinance as long as the entity has a valid alarm permit, but shall comply with all other requirements of this Ordinance.

c. Late Fee for Renewal. A failure to renew within the ten day period shall incur a late fee of Twenty-Five Dollars ($25.00) for each Alarm System that was not renewed in the applicable period.

d. Authority for Town To Enter and Deactivate Alarm. Application for a Permit under the provisions of this Section constitutes a grant of approval to the Town to deactivate an Alarm System that sounds an alarm signal for longer than thirty (30) minutes after being notified, including entry onto and into the premises of the Alarm Site for this purpose. The right of entry includes a waiver of any damages incurred to the premises or the Alarm System as a result of this access and deactivation.

e. Permit Requirements. Each permit application must contain the following information and be complete, true and accurate in its entirety:

1. Name, address, and telephone numbers(s) of the Permit Holder who will be responsible for the proper maintenance and operation of the Alarm System and payment of fees assessed under this Ordinance; the mailing address if different than the address of the Permit Holder or the Alarm Site;

2. The classification of the Alarm Site as either residential or commercial including the building number and the apartment;

3. For each Alarm System located at the Alarm Site, the classification of the Alarm System (i.e. Burglary, Robbery, Panic Alarms or other) and for each classification whether such alarm is audible or silent;

4. Any dangerous, hazardous or special conditions present at the Alarm Site;

5. The name and telephone number of the Alarm Company that has agreed to receive calls for the permitted Alarm System, if applicable;

6. Provide at least two (2) names of Responders and their telephone numbers who are able to receive notification of an Alarm System activation and respond to the Alarm Site within thirty (30) minutes of being notified with a key or other means of access to the premises and, if needed, can deactivate the Alarm System. Preference should be given to the use of cellular phone numbers as backup contact to the primary Alarm Site number; and

7. Signed certification from the Alarm User that includes the following:

    a. The date of the installation, conversion, or takeover of the Alarm System;
    b. The name, address, and telephone number of the Alarm Installation Company or companies performing the installation, conversion or takeover;
    c. The name, address and telephone number of the Alarm Company that performs the monitoring service if different than (b) above;
    d. That a set of written operation instructions for the Alarm System that include guidelines on how to avoid False Alarms, have been left with the applicant by the Alarm Company;
    e. That the applicant has been trained by the Alarm Company in the proper use of the Alarm System;
    f. That in consideration for the ability to have an Alarm Permit, the applicant is authorized to and grants to the Town of Addison the right to enter onto the Alarm Site, including the right to enter into a residence or building for the purpose of disarming a False Alarm if the Alarm User or Responder is not present or is unable to deactivate the False Alarm. The right of entry includes a waiver of any damages incurred to the premises or the Alarm System as a result of this access and deactivation; and
    g. Any other information required by the Alarm Administrator that is necessary for the enforcement of this Ordinance.

f. An Addison resident who has a valid permit that is more than sixty (60) days from expiration may transfer said permit to a new location within Addison.

g. Upon receipt of a completed Alarm Permit application and the Alarm Permit fee including any past due fees, penalties and fines, the Alarm Administrator shall register the applicant and issue a permit number unless the applicant has:

    1. Failed to pay a fine, penalty or fee assessed under this Ordinance;

    2. Had an Alarm Permit for the Alarm Site suspended or revoked, and the violation that resulted in a suspension or revocation has not been corrected; or

    3. Made any false statement or misrepresentation of a material fact for the purpose of obtaining an Alarm Permit or renewal, or while making a change thereto.

Sec. 30-62. - Suspension or refusal to renew; termination of permit.

a. The Director may terminate, suspend or refuse to renew an alarm system permit for any violation of this article; provided, however, that an alarm system permit may not be terminated for nonrenewal unless at least thirty (30) days written notice of such termination has been provided.

b. The Director may suspend, terminate or refuse to renew an alarm permit if an Alarm System generates more than an excessive number of false alarm notifications in a consecutive twelve (12) month period. In each respective category, an excessive number shall be:

   1. Ten false burglar alarms; and

   2. Five false robbery alarms.

c. A suspension of an alarm system permit may be lifted or permit renewed upon a sufficient showing that the conditions which caused the action have been corrected and if the Director determines that the Alarm System is likely to be maintained and operated in a responsible manner in accordance with the provisions of this article.

d. A person commits an offense if he operates an Alarm System during a period of suspension or termination or after the Director refuses to renew his Permit. The Alarm Administrator may revoke or refuse to renew an Alarm System Permit for failure to meet the standards and requirements set out in this Ordinance.

e. A person may appeal a suspension or refusal to renew a permit in accordance with the procedures provided by this Ordinance.

Sec. 30-63. - Appeal from termination, suspension or refusal to renew

a. The applicant or Permit Holder may appeal a decision of the Alarm Administrator under subsection (a) of this section to the Director by filing with the Director a written request for a hearing, setting forth the reasons for the appeal, within ten days after receipt of the notice or in the event the notice sent by certified mail is not received, within ten days from the date of the notice sent by regular United States mail or by hand delivery. The filing of a request for an appeal hearing with the Director stays the action appealed from until the Director makes a final decision. If a request for an appeal hearing is not made within the said ten-day period, the action of the Alarm Administrator is final. An Alarm Permit holder with an existing permit, must have thirty (30) days' notice before the non-renewal is effective.

b. The Director shall serve as the hearing officer at an appeal hearing and consider evidence offered by the applicant or Permit Holder. The formal rules of evidence do not apply at any appeal hearing and the Director shall make his final decision on the basis of a preponderance of the evidence presented at the hearing. The Director must

render a decision within thirty (30) days after the request for an appeal hearing is filed. The Director shall affirm, reverse or modify the action of the Alarm Administrator, and his decision is final.

Sec. 30-64. - Other Types of Alarms; Inspection.

A person shall not install or maintain an Alarm System except for the purpose of eliciting responses to burglaries, robberies, fires or requests for emergency medical assistance, unless specifically authorized by the Director.

Upon reasonable notification, the police chief may inspect an alarm site and alarm system of a permit holder under this article.

Section 30-64. - False Alarm and Service Charge

a. If False Alarm Notifications are received for an Alarm Site, the Alarm Administrator shall assess the Permit Holder in control of that Alarm Site a fee for False Alarms emitted from the Alarm Site in the following amounts:

    1. Fifty Dollars ($50.00) if the Alarm Site has had more than three (3), but less than six (6) False Burglar Alarm Notifications in the immediately preceding twelve (12) month period;

    2. Seventy-Five Dollars ($75.00) if the Alarm Site has had more than five (5), but less than eight (8) False Burglar Alarm Notifications in the immediately preceding twelve (12) month period;

    3. One Hundred Dollars ($100.00) if the Alarm Site has had eight (8) or more False Burglar Alarm Notifications in the immediately preceding twelve (12) month period;

    4. If a False Robbery Alarm Notification is emitted from an Alarm Site, the Alarm Administrator shall assess the Permit Holder in control of that Alarm Site a fee for each False Robbery Alarm Notification emitted from the Alarm Site. The fee for each False Robbery Alarm Notification under this subsection shall be Seventy-Five Dollars ($75.00);

    5. If a False Panic Alarm Notification is emitted from an Alarm Site, the Alarm Administrator shall assess the Permit Holder in control of that Alarm Site a fee for each False Panic Alarm Notification emitted from the Alarm Site. The fee for each False Panic Alarm Notification under this subsection shall be Seventy-Five Dollars ($75.00).

b. If a Public Safety Response takes longer than thirty (30) minutes to respond to the Alarm Dispatch Request or Cancellation is received by the Communication Center

before the arrival of Public Safety Response personnel to the Alarm Site, no False Alarm fee shall be assessed.

c. A Permit Holder shall pay a fee assessed under this Section within thirty (30) days after receipt of notice that it has been assessed. Failure of the Permit Holder to pay the assessed fee may result in the Permit being revoked.

d. All persons assessed a fee shall have a right to appeal the same using the process set forth in Section 30-63 of this Ordinance. The right to appeal will be included in the notice of the fee.

e. The Permit Holder will be exempt from any fees charged for a False Alarm Notification which is later shown to have been in the Alarm Administrator's sole determination, justified or which was due to a natural or manmade catastrophe or other situation specifically exempted by the Director.

f. For the purposes of this Ordinance, a Permit Holder shall be considered to be in control of the Alarm Site for all purposes and at all times, regardless of whether the Permit holder is physically present when an alarm is activated and regardless of whether the Alarm Dispatch is activated by a third person, including but not limited to, another resident of the premises, a family member, a service worker, a guest or an invitee, unless the third party is a trespasser of the Alarm Site.

g. Alarm Permit Holders for governmental or public education sites are exempt from the payment of false alarm fees.

Sec. 30-65. - Unlawful Reporting of Alarm Signals; Unregistered Alarm Site.

a. It is unlawful for an Alarm Permit Holder to report alarm signals through a relaying intermediary that:

    1. does not meet the requirements of this Ordinance and any rules and regulations promulgated by the Alarm Administrator; or

    2. is not licensed by the Texas Board of Private Investigators and Private Security Agencies, except for a personal emergency response alarm system that does not include a burglar or fire system.

b. If False Alarm Notifications are received for an Unregistered Alarm Site, the Alarm Administrator shall assess the property owner of the unregistered Alarm Site a fee for False Alarms emitted from the Unregistered Alarm Site in the following amounts:

    1. One Hundred Dollars ($100.00) if the Unregistered Alarm Site has had between one (1) and three (3) False Burglar Alarm Notifications in the immediately preceding twelve (12) month period;

2. One Hundred Fifty Dollars ($150.00) if the Unregistered Alarm Site has had more than three (3), but less than six (6) False Burglar Alarm Notifications in the immediately preceding twelve (12) month period;

3. One Hundred Seventy-Five Dollars ($175.00) if the Unregistered Alarm Site has had more than five (5), but less than eight (8) False Burglar Alarm Notifications in the immediately preceding twelve (12) month period; and

4. Two Hundred Dollars ($200.00) if the Unregistered Alarm Site has had eight (8) or more False Burglar Alarm Notifications in the immediately preceding twelve (12) month period;

5. If a False Robbery Alarm Notification is emitted from an Unregistered Alarm Site, the Alarm Administrator shall assess the property owner in control of that Unregistered Alarm Site a fee for each False Robbery Alarm Notification emitted from the Unregistered Alarm Site. The fee for each False Robbery Alarm Notification under this subsection shall be One Hundred Seventy-Five Dollars ($175.00); and

6. If a False Panic Alarm Notification is emitted from an Unregistered Alarm Site, the Alarm Administrator shall assess the property owner in control of that Unregistered Alarm Site a fee for each False Panic Alarm Notification emitted from the Unregistered Alarm Site. The fee for each False Panic Alarm Notification under this subsection shall be One Hundred Seventy-Five Dollars ($175.00).

Sec. 30-66—30-70 Reserved.

Division 2. Duties of the Alarm User; Alarm Company; Alarm Administrator

Sec. 30-71. - Duties of the Alarm User.

a. An Alarm User shall:

1. Operate and maintain the Alarm Site and the Alarm System in a manner that minimizes or eliminates False Alarms;

2. Make every reasonable effort to have a responder to the Alarm Site within thirty (30) minutes when requested by the Communications Center in order to:

   a. Deactivate the alarm;
   b. Provide access to the Alarm Site and Alarm System; and
   c. Provide alternative security to the Alarm Site.

3. Not activate an Alarm System for any reason other than an occurrence of an event that the Alarm System was designed to report.

4. Adjust the mechanism of an inside sounder so that the alarm will sound for no longer than ten (10) minutes.

5. Maintain a written set of operating instructions for each Alarm System at the Alarm Site.

6. Upon reasonable notification, allow the Alarm Administrator or his designee to inspect the Alarm site and Alarm System of the Permit Holder.

7. Not use a Robbery Alarm Notification that is a single action, non-recessed button.

8. Inform the Alarm Administrator in writing of any changes that alter information listed on the permit application within five (5) business days of the change. No fee will be assessed for such changes.

Sec. 30-72. - Duties of Alarm Company

a. All Alarm Companies shall be licensed through the Texas Department of Public Safety Private Security Bureau as required by the Texas Occupation Code, Chapter 1702, as amended.

b. An Alarm Company shall:

1. Confirm with the Alarm Administrator that a valid Alarm Permit has been issued by Addison for an Alarm Site before performing any Alarm System conversion at the Alarm Site.

2. Send a certification to the Alarm Administrator within thirty (30) days of performing or causing the performance of an Alarm System installation or Conversion. The certificate must state:

a. The date of installation or Conversion of the Alarm System, whichever is applicable;
b. The name, address, telephone number and current state license number of the Alarm Company providing the Alarm System installation or Conversion;
c. The name, address, telephone number and current state license number of the Alarm Company providing monitoring for the Alarm System if difference from the Alarm Company under contract to provide installation or Conversion for the Alarm System; and

d. That the Alarm Company has trained the applicant in the proper use of the Alarm System, including, without limitation, instructions on how to avoid and how to cancel false alarms.

3. Send notification of an alarm to the Town by the means currently specified by the Alarm Administrator;

4. Communicate Alarm Dispatch requests and Cancellations to the Communication Center in a manner determined by the Alarm Administrator;

5. Communicate any available information (permit number, north/south, front/back, floor, etc.) about the premises on all alarm signals related to the Alarm Dispatch request;

6. Communicate the type of alarm activation (silent, audible, interior, perimeter);

7. After making the Alarm Dispatch request, advise, as soon as possible, if the Alarm User and/or Responder is on the way to the Alarm Site;

8. Contact the Alarm User or Responder within twenty-four (24) hours via mail, email, fax, telephone or other electronic means when an Alarm Dispatch Request is made;

9. Report alarm signals and dispatch requests by using telephone numbers designated by the Alarm Administrator; and

10. Before requesting an Alarm Dispatch Request to an alarm signal, verify every alarm signal, except a panic, robbery, fire or emergency medical alarm activation, by making a minimum of two (2) telephone calls to two (2) separate phone numbers as per ANSI/CSAA C-V-01 Standard for the telephone verification of alarm signals.

c. An Alarm Company shall not install an Automatic Voice Dialer as part of an Alarm System unless it is limited to Panic Alarm Notifications.

Sec. 30-73. - Duty to Maintain and Provide Records.

a. Upon the effective date of the Ordinance, Alarm Company shall:

1. Maintain for a period of one (1) year from the date of the Alarm Dispatch Request, records related to Alarm Dispatch Requests that include the name, address and telephone number of the Alarm User and evidence that demonstrates Attempts to Verify. The Alarm Administrator may request copies of the records of Alarm Users in Addison. If the request is made within sixty (60) days of an Alarm Request Dispatch, the Alarm Company shall furnish the requested records within three (3) business days of receipt of the

request. If the request is made between sixty (60) days to one year after an Alarm Dispatch Request, the Alarm Company shall furnish the records within thirty (30) days of the request.

2. Provide the Alarm Administrator with the names and telephone numbers of the Alarm User's Responders maintained by the Alarm Company for that Alarm User at the time of the Alarm Dispatch Request or within a reasonable time thereafter, not to exceed forty-eight hours, if requested by the Communications Center.

Sec. 30-74. - Offenses for Alarm Companies.

A person commits an offense if he engages in the business of relaying alarm notifications in Addison without complying fully with this Ordinance. This shall not apply to installation or activation of a personal emergency response system, as defined by Texas Occupation Code, Section 1702.331, as amended.

Section 30-75. - Duties and Authority of the Alarm Administrator.

a. The Alarm Administrator shall establish a procedure for notification to the Alarm User of a False Alarm. The notice shall include the following information:

   1. Date and time of Public Safety Response;

   2. Identification number of the public safety person; and

   3. A Statement advising the Alarm User to ensure that the Alarm System is properly operated, inspected and serviced in order to avoid False Alarms and resulting in fees and fines.

b. The Alarm Administrator may require an Alarm User to remove a Robbery Alarm that is a single action, non-recessed button, if a false alarm has occurred.

Sec. 30-76. - Direct Alarm Reporting.

It shall be unlawful for any person or business to operate or energize an Alarm System or an alarm device which activates an automatic dialing device that sends a signal to the Communications Center.

Sec. 30-77. - Intentional Activation Unlawful.

It shall be unlawful for any person to intentionally activate or cause to be activated any Alarm System for other than its intended purpose and with the intent of causing a Public Safety Response.

Section 30-78. – Confidentiality.

To the extent allowed by law, all information contained in and gathering through the alarm registration applications, records related to alarm dispatch requests, and application for appeals, are confidential and shall be held in confidence by all employees or representatives of the Town of Addison and by any third-party administrator or employees of a third-party administrator with access to such information. This provision shall not prevent an Alarm Company from receiving confirmation from Addison that an Alarm Permit has been issued for an Alarm Site.

Sec. 30-79. - Violations of Ordinance Misdemeanor.

Any person who violates this Ordinance shall be, upon conviction, deemed guilty of a misdemeanor and fined an amount not in excess of Five Hundred Dollars ($500.00). A person commits an offense if he violates by commission or omission any provision of this article that imposes upon him a duty or responsibility. Each day of violation shall constitute a separate and distinct offense.

Sec. 30-80—Sec.30-90 Reserved.

Division 3. Alarm signal lines for financial institutions

Sec. 30-91. - Connection to police department.

A financial institution required to have an alarm system pursuant to the provisions of the Bank Protection Act of 1968 (12 USC, 1882) may install, with the permission of the chief of police, a signal line directly to the police department for the purpose of reporting burglaries and robberies. If such an arrangement is made, all other requirements of this article must be met. The financial institution shall execute a letter of agreement with the town permitting the installation of all necessary equipment on an indicator panel monitored in the communications division of the police department. The installation must be accomplished at the institution's expense.

Sec. 30-92. – Fees.

A financial institution shall pay an annual fee under this article of $100.00 for each indicator.

Sec. 30-93. – Authority of Police Chief.

The chief of police shall have the right, at reasonable times and upon oral notice, to inspect the alarm system of financial institutions at the alarm site and require necessary repairs or improvements. If the chief of police finds that the alarm system continually fails to operate or be operated to his satisfaction, he may terminate the privilege to have equipment and indicators in the communications center of the police

department and require prompt removal of same at the expense of the financial institution.

Sec. 30-94. - Continuous operation; town not liable.

A financial institution, at its expense, shall make arrangements to provide service for the alarm system at the instance of the financial institution or the chief of police on a 24-hour basis, seven days a week. In no event shall the town become liable for service charges for repairs and maintenance of any such signaling device.

Sec. 30-95. - Cancellation of agreement.

A financial institution may cancel its agreement under this article with the town at any time by giving the town written notice through the chief of police, whereupon such institution, at its expense, shall have its equipment and indicators promptly removed from the monitor panel in the communications center.

Sec. 30-96. - Changes in equipment.

The chief of police has the right to require any change, modernization or consolidation of alarm signaling equipment of financial institutions that he deems advisable. In no event shall the town become liable for charges for such changes.

Sec. 30-97. - Telephone reporting.

Instead of a direct line, a financial institution may instead choose to report burglaries and robberies by transmission through an alarm reporting service using a telephone number designated by the chief of police.

Secs. 30-98—30-145. - Reserved."

Section 4. Incorporation of Premises. The above and foregoing recitals and premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 5. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the Town and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the Town, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or an penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 6. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. Penalty. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished in accordance with the provisions of Section 1-7 of the Code of Ordinances, Town of Addison, Texas, as amended.

Section 8. Effective Date. This Ordinance shall take from and after its adoption and publication as required by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 11 day of July, 2017.

Joe Chow, Mayor
Town of Addison, Texas

ATTEST:

By: Caitlan Biggs
Laura Bell, City Secretary

APPROVED AS TO FORM:

By: brenda n. mcdonald
Brenda N. McDonald, City Attorney

TOWN OF ADDISON
ADDISON, TEXAS