



CITY OF LITTLE ROCK-ORDINANCE

False Alarm Reduction Program
PO Box 3876
Little Rock, AR 72203

Telephone: (855) 725-7104
Email: littlerockar@alarm-billing.com

ORDINANCE NO. 19,331

AN ORDINANCE TO REPEAL LITTLE ROCK, ARK., REV. CODE CHAPTER ARTICLE II, SEC. 3-11 THROUGH 3-23; TO REPLACE IT WITH A NEW FALSE ALARM ORDINANCE TO STRIVE TO IMPROVE PUBLIC SAFETY BY FURTHER REDUCING EMERGENCY RESPONSES TO FALSE ALARMS; TO ENCOURAGE ALARM USERS AND ALARM COMPANIES 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; AND FOR OTHER PURPOSES.

WHEREAS, the Little Rock Board of Directors passed Ordinance No. 17,904 on December 22, 1998 to reduce false alarms, and Ordinance No. 18,069 on July 20, 1989 to further reduce false alarms and

WHEREAS, it has been determined that often these unnecessary alarms are the result of the property owners or alarm company's failure to provide proper maintenance and upkeep of the alarm systems; and

WHEREAS, the City's 911 answering system receives over 206,000 calls per year, of which 28,500 are from alarms, and

WHEREAS, of these 28,500 calls from alarm systems, over 90% are false alarms; and

WHEREAS, sending an emergency response to a false alarm decreases the availability of the emergency services personnel to respond to true emergencies thereby decreasing public safety; and

WHEREAS, this Ordinance contains provisions which strive to reduce false alarms, contains a registration system with controls to facilitate the reduction of false alarms, outlines Alarm Installation Company and Monitoring Company responsibilities, and requires the disciplined use of alarm systems by alarm users.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Little Rock, Ark., Rev. Code Chapter 3, Article II, Sections 11-23 are hereby repealed and the following Sections substituted therefore:

Section 1. *Title.* This Ordinance may be known and cited as the "False Alarm Reduction Ordinance."

Section 2. *Purpose.* The purpose of this Ordinance is to require Alarm Users, Installers and Monitors 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. This Ordinance governs Alarm Systems intended to summon emergency services and requires registration, provides for penalties for violations, establishes a system of administration, and sets conditions for the cancellation of emergency services.

Section 3. Definitions.

In this Ordinance the following terms and phrases shall have the following meanings:

A. 9-1-1 Center means the municipal agency responsible for receiving an Alarm Dispatch Request from either an individual or an Alarm Monitoring Company, and relaying that request to the appropriate Emergency Services Agency.

B. Alarm Administrator means a Person or Persons designated by the Treasury Management Division of the Finance Department of the City of Little Rock to administer, control and review False Alarm reduction efforts and administer the provisions of this Ordinance.

C. Alarm Dispatch Request means a notification to an emergency services agency that an alarm, either manual or automatic, has been activated at a particular Alarm Site.

D. Alarm Installation Company means a Person who sells, provides, maintains, services, repairs, alters, replaces, moves, and/or installs an Alarm System at an Alarm Site.

E. Alarm User Permit means a permit issued by the City to the Alarm User to operate an Alarm System, obtained after the Alarm User makes written application to either the Alarm Installation Company, Alarm Monitoring Company or, the Alarm Administrator, in the case of a Local Alarm.

F. Alarm Site means a single fixed premise or location served by an Alarm System or Systems. Each unit, if served by a separate Arming Station in a multi-unit building or complex, shall be considered a separate Alarm Site.

G. Alarm System means a device or series of devices, including, but not limited to, hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to summon emergency services response, including Local Alarm Systems. Alarm System does not include an alarm installed in a vehicle or on someone's Person.

H. Alarm User Awareness Class means a class conducted for the purpose of educating Alarm Users about the responsible use, operation, and maintenance of Alarm Systems and the problems created by False Alarms.

I. Alarm User means any Person, who (which) operates an Alarm System.

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

K. 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 an emergency services agency or the City 9-1-1 Center requesting dispatch.

L. Cancellation means the process where a dispatch is terminated when an Alarm Installation Company or Alarm Monitoring Company for the Alarm Site notifies the responding emergency service agency before

their arrival that there is not an existing situation at the Alarm Site requiring response after an Alarm Dispatch Request.

M. Conversion means the transaction or process by which one Alarm Installation Company or Monitoring Company begins the servicing Monitoring, or both, of a previously unmonitored Alarm System or an Alarm System previously serviced or monitored, or both, by another Alarm Company.

N. Dispatch means the process in which the 9-1-1 Communication Center instructs the appropriate emergency services agency to respond to an alarm.

O. Duress Alarm 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 system and requires an emergency service.

P. Emergency Services means the public service and emergency service agencies operating in the city, including all municipal police, fire, ambulance, emergency management and other such emergency service agencies as may be needed.

Q. False Alarm means an Alarm Dispatch Request to an emergency service agency to summon a law enforcement agency, fire dispatch or medical emergency, or any combination thereof, to a non-emergency situation. For False Alarm enforcement purposes, any dispatch request cancelled prior to the arrival of an emergency service agency on an Alarm Site will still be counted as a False Alarm. However, if the Monitoring Company calls in time to prevent the arrival of the officer on the scene the alarm owner will receive a discount on the fee of the false alarm.

R. Grace Period means a specified length of time from the date of installation, or system Conversion/Takeover during which no occurrence, fine or penalty is assessed for False Alarms.

S. Holdup Alarm means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

T. Local Alarm System means any Alarm System, which is not monitored, that annunciates an alarm only at the Alarm Site.

U. Monitoring Company means a Person in the business of providing Monitoring services.

V. Monitoring means the process by which a Monitoring Company receives signals from an Alarm System and relays an Alarm Dispatch Request to the City 9-1-1 Center for the purpose of summoning the appropriate emergency services agency to the Alarm Site.

W. One Plus Duress Alarm utilizes the manual activation of a silent alarm signal by entering at an Arming Station a code that adds one to the last digit of the normal arm/disarm code (e.g., normal code = 1234, One Plus Duress Code = 1235)

X. Panic Alarm means an audible Alarm System signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring an emergency service response.

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

Z. Response means the dispatch of emergency services personnel to the premises where an alarm system has been activated, indicating an emergency service at those premises.

AA. Responsible Individual means an individual who is able and has agreed to:

1. receive notification of an Alarm System activation at any time;
2. respond to the Alarm Site within 30 minutes at any time; and
3. grant access to the Alarm Site and deactivate the Alarm System upon request.

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

CC. Verify means an attempt by the Monitoring Company, or its representative, to contact the Alarm Site by telephonic or other electronic means, whether or not actual contact with a Person is made, to determine whether an alarm signal is valid before requesting a police dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Request. For purposes of this ordinance, "verify" requires, that if the initial call to the alarm site is unanswered, the Monitoring Company must attempt to reach a responsible party at a different number than the one listed as the Alarm Site telephone number.

This process is known as "ECV", or "Enhanced Call Verification". This verification process does not apply to fire and medical emergency alarm signals, which are dispatched immediately.

DD. Zones means division of devices into which an Alarm System is divided to indicate the general location from which an Alarm System signal is transmitted.

Section. 4. Registration Required; Application; Transferability; False Statements.

A. No Alarm User shall operate, or cause to be operated, an Alarm System at its Alarm Site without a valid Alarm Permit. A separate Alarm Permit is required for each Alarm Site.

B. The Alarm Permit application must be submitted by the Alarm User to the Alarm Installation or Alarm Monitoring Company at the time of an Alarm System installation or Alarm System Takeover. All Local Alarm System applications must be submitted to the Alarm Administrator at the time of the Alarm System installation or Alarm System Takeover. The Alarm Permit shall be effective until the registered Alarm User no longer occupies the Alarm Site.

C. Upon receipt of a completed Alarm Permit application form, either the Alarm Installation Company or the Alarm Monitoring Company must register the applicant with the Alarm Administrator. Failure of an Alarm User to pay a previous civil penalty shall not prohibit them from being registered.

D. Each Alarm Permit application must include the following information:

- 1) the name, complete current address, (including apartment or suite number), and telephone numbers of the Person who will be the Permit holder and be responsible for the proper maintenance and operation of the Alarm System;
- 2) the classification of the Alarm Site (e.g. single-family residential, apartment, commercial, warehouse, government office, etc.);

- 3) mailing address, if different from the address of the Alarm Site;
- 4) the date of installation, Conversion or Takeover of the Alarm System, whichever is applicable;
- 5) the name, address, and telephone number of the Alarm Installation Company or companies performing the Alarm System installation, Conversion or Takeover and of the Alarm Installation Company responsible for providing repair service to the Alarm System;
- 6) the name, address, and telephone number of the Monitoring Company, (if applicable), if different from the Alarm Installation Company, and
- 7) signed certification from the Alarm User stating that:
 - a. a set of written operating instructions for the Alarm System, including written guidelines on how to avoid False Alarms, have been left with the applicant by the Alarm Installation Company;
 - b. the Alarm Installation Company has trained the applicant in proper use of the Alarm System, including instructions on how to avoid False Alarms; and
 - c. the Alarm User is aware of the fact that an emergency service response may be influenced by factors including, but not limited to, the availability of emergency service units, priority of calls, weather conditions, traffic conditions, emergency conditions and staffing levels.

E. Any false statement of a material fact made by an applicant for the purpose of obtaining an Alarm Permit shall be sufficient cause for imposition of a civil penalty prior to the issuance of a Permit by the Alarm Administrator.

F. An Alarm Permit cannot be transferred to another Person or Alarm Site. An Alarm User shall inform the Alarm Installation or Alarm Monitoring Company, in the case of a monitored alarm system, or Alarm Administrator, in the case of a non-monitored alarm system, of any change that alters any of the information listed on the Alarm Permit application within five (5) business days of such change.

Section 5. *Duties of the Alarm User.*

A. An Alarm User shall:

- 1) maintain the Alarm Site and the Alarm System in a manner that will minimize or eliminate False Alarms;
- 2) make every reasonable effort to have a Responsible Individual available at the Alarm Site within 30 minutes after an Alarm Dispatch Request; and
- 3) not activate an Alarm System for any reason other than an occurrence of an event that the Alarm System was intended to report.

B. An Alarm User shall have a Licensed Alarm Installation Company inspect the Alarm System after three (3) False Alarms within a revolving three month period. The Alarm Administrator may waive a required inspection if he/she determines that a False Alarm(s) could not have been related to a defect or malfunction in the Alarm System.

C. An Alarm User shall not use Automatic Voice Dialers.

D. An Alarm User shall maintain at each Alarm Site an Alarm Permit and an set of written operating instructions for each Alarm System.

E. Alarm Users may agree with their Alarm Installation Company or Monitoring Company to go through a "grace period" for the first seven (7) days after installation of an Alarm System during which time neither the Alarm Installation Company nor the Monitoring Company will have any obligation to respond to any Alarm Signal from the Alarm Site. If the Alarm Signal is the result of an actual alarm event, the Alarm

Installation Company or the Monitoring Company shall send an Alarm Dispatch Request to an emergency service agency.

Section 6. Duties of Alarm Installation Company.

A. An Alarm Installation Company shall:

- 1) administer the required Alarm Permit to each Alarm User.
- 2) provide written and oral instructions to each of its Alarm Users in the proper use and operation of their Alarm Systems. Such instructions will specifically include all instructions necessary to turn the Alarm System on and off and to avoid False Alarms;
- 3) review with the Alarm User the Customer False Alarm Prevention Checklist or an equivalent checklist approved by the Alarm Administrator;
- 4) adjust the mechanism or cause the mechanism to be adjusted so that a burglary alarm signal audible on the exterior of an Alarm Site will not sound for more than fifteen (15) minutes after being activated; and
- 5) not program or cause to be programmed Automatic Voice Dialers to directly dial an emergency services agency, but can be used to call their own personnel.
- 6) ensure that all Alarm Users of previously installed Alarm Systems equipped with a Duress, Holdup or Panic Alarm are given adequate training as to the proper use of the Duress, Holdup or Panic Alarm;

B. An Alarm Installation Company that purchases Alarm System accounts from another Person shall notify the Alarm Administrator of such purchase and provide details as may be reasonably requested by the Alarm Administrator.

Section 7. Duties of Alarm Monitoring Company.

A. A Monitoring Company shall:

- 1) verify alarm signal before requesting an emergency service response to an Alarm System signal, with the exception of duress, panic, hold-up, fire or medical emergency alarm situations;
- 2) communicate Alarm Dispatch Requests to 911 Center after verifying the alarm signal;
- 3) not utilize Automatic Voice Dialer technology to request an Alarm Dispatch to an emergency services agency or 911 Center but may use them to call their own personnel.
- 4) record the incident number of the alarm call upon communicating the alarm to the 911 Center;
- 5) communicate Cancellations to the 911 Center in a manner and form as outlined in Section 11;
- 6) communicate any available information (north, south, front, back, floor, etc.) about the location on all alarm signals related to the Alarm Dispatch Request;
- 7) communicate type of alarm activation (silent or audible, interior or perimeter);
- 8) provide an Alarm User Permit number when requesting emergency service dispatch;
- 9) promptly advise the emergency service agency if the Monitoring Company knows that the Alarm User or the Responder is on the way to the Alarm Site after an Alarm Dispatch Request;
- 10) attempt to contact the Alarm User or Responsible Individual within 24 hours via mail, fax, telephone or other electronic means when an Alarm Dispatch Request is made; and
- 11) maintain for a period of at least one (1) year from the date of the Alarm Dispatch Request, records relating to Alarm Dispatch Requests, upon the effective date of this ordinance. Records must include the name, address and telephone number of the Alarm User, the Alarm System Zone(s) activated, the time of Alarm Dispatch Request and evidence of an attempt to Verify. The Alarm Administrator may request copies of such records for individually named Alarm Users. If the request is made within sixty (60) days of an Alarm Dispatch Request, the Monitoring Company shall furnish requested records within three (3)

business days of receiving the request. If the records are requested between sixty (60) days to one (1) year after an Alarm Dispatch Request, the Monitoring Company shall furnish the requested records within thirty (30) days of receiving the request.

B. An Alarm Monitoring Company that purchases Alarm System accounts from another Person shall notify the Alarm Administrator of such purchase and provide details as may be reasonably requested by the Alarm Administrator.

Section 8. *License or Licensing.*

A. Alarm Installation Companies and Monitoring Companies shall maintain a License with the State of Arkansas, as required by Arkansas State Code. A copy of the License shall be submitted to the Alarm Administrator to be kept on file.

Section 9. *Duties and Authority of the Alarm Administrator.*

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

- 1) the date and time of emergency service response to the False Alarm;
- 2) the response incident number; and
- 3) 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 civil penalties.

B. The Alarm Administrator or emergency service agency may create and implement an Alarm User Awareness Class. The Alarm Administrator may request the assistance of False Alarm Associations, alarm companies and emergency service agencies in developing and implementing the class. The class shall inform Alarm Users of the problems created by False Alarms and teach Alarm Users how to avoid generating False Alarms.

C. The Alarm Administrator shall post the Ordinance on the City's website.

Section 10. *Civil Penalties.*

A. An Alarm User shall be subject to civil penalties, depending on the number of False Alarms within a calendar year based upon the following schedule:

1. False Alarm Civil Penalties

<u># of False Alarms</u>	<u>Civil Penalty</u>
1	None
2	None
3	None
4	\$25.00
5	\$50.00
6 or more	Varies depending on the responding agency: \$200 for Police response \$300 for Fire response at a single family-residence \$500 for response to fire at a multi-family, commercial, hospital, school, or industrial complex

\$450 for an emergency response by the Little Rock ambulance authority

B. In some instances, more than one type of emergency services may respond to the same call, and the civil penalty may increase accordingly.

C. In addition, any Person operating a non-permitted Alarm System will be subject to a civil penalty of \$250.00 for each False Alarm in addition to any other fines. In addition, the Alarm Installation and/or Alarm Monitoring Company will each be subject to a civil penalty of \$250.00 for each False Alarm in addition to any other civil penalties. The Alarm Administrator may waive this additional civil penalty for a non-permitted system if the Alarm User submits an application for Alarm Registration within ten (10) days after of notification of such violation.

D. The Alarm Installation Company shall be assessed a civil penalty of \$250.00 if the emergency service personnel responding to the False Alarm determines that an on-site employee of the Alarm Installation Company directly caused the False Alarm. In this situation, the False Alarm will not be counted against the Alarm User.

E. The Alarm Monitoring Company shall be assessed a civil penalty of \$250.00 for each failure to Verify Alarm System signals as specified in Section 7-A-2.

F. The Alarm Installation Company shall be assessed a civil penalty of \$1,000.00 if the Alarm Administrator determines that an Alarm Installation Company employee knowingly made a false statement concerning the inspection of an Alarm Site or the performance of an Alarm System.

G. Notice of the right of Appeal under this ordinance will be included with any civil penalty.

Section 11. *Alarm Cancellations.*

A. The Alarm System Monitoring Company shall communicate verified cancellations of alarm dispatch requests to the emergency service agencies in a manner and form prescribed by this section.

B. In order for the 9-1-1 Center to verify the identity of the Alarm System Monitoring Company and to confirm that the correct specific Alarm Dispatch Request is to be cancelled, Alarm System Monitoring Companies are to use the Incident Number given to them by the 9-1-1 Center when the alarm call was first made.

C. For alarm systems that utilize an Alarm Monitoring Company, a request for a Cancellation of an Alarm Response will only be accepted by the Alarm Monitoring Company and only after the incident number of the alarm is reported to the 9-1-1 Center.

D. A cancellation that is completed before an emergency services agency is dispatched shall not be considered to be a false alarm, specifically for purposes outlined in Section 10. If a cancellation by the Monitoring Company occurs after dispatch but prior to arrival the fee is discounted by the following schedule:

# of False Alarms	Cancel after Dispatch but prior to Arrival	Civil Penalty
1	\$0	\$0

2	\$0	\$0
3	\$0	\$0
4	\$10	\$25
5	\$20	\$50
6	\$50	\$200
7	\$75	\$200
8	\$100	\$200
9	\$125	\$200
10	\$150	\$200
11 & After	\$175	\$200

Section 12. *Appeals.*

A. If the Alarm Administrator assesses a civil penalty, the Alarm Administrator shall send written notice of the action and a statement of the right to an appeal to the Alarm User, Alarm Installation Company and/or Monitoring Company.

B. The Alarm User, Alarm Installation Company, or Monitoring Company, or all of them, may appeal an assessment of a civil penalty to the Alarm Administrator by setting forth in writing the reasons for the appeal within fifteen (15) business days after receipt of the civil penalty or notice of revocation.

C. The Alarm User may appeal the decision of the Alarm Administrator to the False Alarm Appeals Panel as follows:

- 1) The Alarm User may file a written request for a review by paying an appeal fee of \$25.00 and setting forth the reasons for the appeal within fifteen (15) business days after the date of notification of the decision from the Alarm Administrator. Appeal fees will be returned to the appealing Alarm User if the appeal is upheld.
- 2) The False Alarm Appeals Panel shall consist of (3) three members of representatives from city agencies such as Fire, Police, MEMS, 9-1-1 and Finance.
- 3) The False Alarm Appeals Panel shall conduct a hearing within thirty (30) days of the receipt of the request and consider the evidence by any interested Person(s). The False Alarm Appeals Panel shall make its decision on the basis of the preponderance of evidence presented at the hearing. The False Alarm Appeals Panel must render a decision within ten (10) days after the date of the hearing. The False Alarm Appeal Panel shall affirm or reverse the decision of the Alarm Administrator.

D. Filing of a request for appeal shall stay the action by the Alarm Administrator requiring payment of a civil penalty, until the False Alarm Appeals Panel has completed its review. If a request for appeal is not made within the fifteen (15) business day period, the action of the Alarm Administrator is final.

E. The Alarm Administrator or the False Alarm Appeals Panel may adjust the count of False Alarms based on evidence that:

- 1) Evidence that a False Alarm was caused by action of the telephone company, Alarm Installation Company and/or Monitoring Company;
- 2) Evidence that a False Alarm was caused by a power outage lasting longer than four (4) hours;
- 3) Evidence that the Alarm Dispatch Request was not a False Alarm.

F. The Installation Company or the Monitoring Company may appeal the decision of the Alarm Administrator to the False Alarm Appeals Panel as follows:

- 1) The Installation Company or the Monitoring Company may file a written request by paying an appeal fee of \$25.00 and setting forth the reasons for the appeal within fifteen (15) business days after the date of notification of the decision from the Alarm Administrator. Appeal fees will be returned to the appealing Alarm User if the appeal is upheld.
- 2) The False Alarm Appeals Panel shall conduct a hearing within thirty (30) days of the receipt of the request and consider the evidence by any interested Person(s). The False Alarm Appeals Panel shall make its decision on the basis of the preponderance of evidence presented at the hearing. The False Alarm Appeals Panel must render a decision within ten (10) days after the date of the hearing. The False Alarm Appeal Panel shall affirm or reverse the decision of the Alarm Administrator.
- 3) Filing of a request for appeal shall stay the action by the Alarm Administrator requiring payment of a civil penalty, until the False Alarm Appeals Panel has completed its review. If a request for appeal is not made within the fifteen (15) business day period, the action of the Alarm Administrator is final.

G. With respect to civil penalties of an Alarm Installation Company or Monitoring Company, the Alarm Administrator may take into consideration whether the Alarm Company had engaged in a consistent pattern of violations. The Alarm Administrator or the False Alarm Appeals Panel may adjust the civil penalty based upon:

- 1) a written statement from an independent inspector designated by the Alarm Administrator that the Alarm System has been inspected and is in good working order;
- 2) confirmation that the Alarm System requires two independent zones to trigger before transmitting an alarm signal to the Monitoring Company;
- 3) confirmation that the Alarm System requires two independent detectors to trigger before transmitting an alarm signal to the Monitoring Company;
- 4) confirmation of the alarm verification process will not make an Alarm Dispatch Request unless the need for law enforcement is confirmed by telephone, a listen-in device, camera device or other device agreed upon by the False Alarm Appeals Panel; and
- 5) certification that the Monitoring Company will not make an Alarm Dispatch Request unless the need for law enforcement is confirmed by a Person at the Alarm Site.

Section 13. Enforcement and Penalties.

A. Enforcement of this Ordinance may be by civil action as provided under municipal law.

Section 14. Report of Freedom of Information Act Requests.

Upon receipt of a Freedom of Information Act request for false alarm or alarm user database information, the Alarm Administrator will notify the City Manager's office of the request. The City Manager will notify the Mayor and Board of Directors of the request in a timely manner.

Section 15. *Review of Ordinance after one year, in December, 2006.*

The City Manager will place an item on the agenda Board of Director's first regular meeting held in December, 2006 to review the false alarm ordinance.

Section 16. *Severability.* In the event that any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the ordinance.

Section 17. *Repealer.* All ordinances, resolutions, bylaws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 18. *Effective Date.* In order to allow sufficient time to establish the permit system and issue permits, this ordinance shall take effect January 1, 2006.

PASSED: June 7, 2005

ORDINANCE NO. 21,293

AN ORDINANCE TO AMEND CHAPTER 3, ARTICLE II OF THE LITTLE ROCK, ARKANSAS REVISED CODE OF ORDINANCES, FALSE ALARMS, TO ADD CERTAIN CRITERIA FOR IMPROVING THE PROCESSING OF FALSE ALARMS; TO REDUCE FINES FOR NON-REGISTRATION; TO CLARIFY RESPONSIBILITY OF REGISTRATION; TO EXTEND THE TIME TO REGISTER ALARM SYSTEMS AND TO EXTEND TIME TO APPEAL A FALSE ALARM; AND FOR OTHER PURPOSES.

WHEREAS, the Little Rock Board of Directors passed the False Alarm Reduction Ordinance (Ordinance No. 19,331) on June 7, 2005, to reduce false alarms; and,

WHEREAS, the City's 911 Answering System receives approximately 250,000 calls per year, of which 34,500 are from alarm's; and,

WHEREAS, of these 34,500 calls from alarm systems, over 90% are false alarms; and,

WHEREAS, sending an emergency response to a false alarm decreases the availability of the emergency services personnel to respond to true emergencies, thereby decreasing public safety; and,

WHEREAS, it is desirable to improve the processing of false alarms, reduce fines for non-registration, clarify responsibility for registration, extend the time to register, and extend the time to appeal a violation.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. Little Rock, Ark., Rev. Code § 3-14 is hereby amended to read as follows:

- (a) No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm permit. A separate alarm permit is required for each alarm site.
- (b) At the time of an alarm system installation, monitoring service agreement or alarm system takeover, the alarm monitoring company shall register the alarm site online with the City's alarm administrator and obtain a permit number. The alarm permit shall be effective until the registered alarm user no longer occupies the site. All local alarm system applications shall be submitted by the alarm user to the City's alarm administrator at the time of the alarm system installation or alarm system takeover. The alarm permit shall be effective until the registered alarm user no longer occupies the site. Failure of an alarm user to pay a previous civil penalty shall not prohibit the alarm user from being registered.
- (c) Each alarm permit application must include the following information:
- (1) The name, complete current address, (including apartment or suite number), and telephone numbers of the person who will be the permit holder and be responsible for the proper maintenance and operation of the alarm system;
 - (2) The classification of the alarm site (e.g. single-family residential, apartment, commercial, warehouse, government office, etc.);
 - (3) Mailing address, if different from the address of the alarm site;
 - (4) The date of installation, conversion or takeover of the alarm system, whichever is applicable;
 - (5) The name, address, and telephone number of the alarm installation company or companies performing the alarm system installation, conversion, or takeover and of the alarm installation company responsible for providing repair service to the alarm system;
 - (6) The name, address, and telephone number of the monitoring company, (if applicable), if different from the alarm installation company, and
 - (7) Signed certification from the alarm user stating that:
 - (a) Operating instructions for the alarm system, including guidelines on how to avoid false alarms, have been read and agreed upon by the alarm user;
 - (b) The alarm installation company has trained the applicant in proper use of the alarm system, including instructions on how to avoid false alarms; and
 - (c) The alarm user is aware of the fact that an emergency service response may be influenced by factors including, but not limited to, the availability of emergency service units, priority of calls, weather conditions, traffic conditions, emergency conditions and staffing levels.
 - (8) The name, address and telephone number of the alarm monitoring company previously utilized, if applicable.
 - (d) Any false statement of a material fact made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for imposition of a civil penalty prior to the issuance of a permit by the City's alarm administrator.
 - (e) An alarm permit cannot be transferred to another person or alarm site. An alarm user shall inform the alarm installation or alarm monitoring company, in the case of a monitored alarm system, or the City's alarm administrator, in the case of a non-monitored alarm system, of any change that alters any of the information listed on the alarm permit application within (5) business days of such change.

Section 2. Little Rock, Ark., Rev. Code § 3-15 is hereby amended to a new section (g) as follows:

(g) An alarm user shall register a local alarm system. which is not monitored, with the City's alarm administrator.

Section 3. Little Rock. Ark., Rev. Code § 3- 16(a)(I) is hereby amended to read as follows:

(a) An alarm installation company shall:

(1) In the case of local alarm systems. which are not monitored. distribute the required alarm permit to each alarm user.

Section 4. Little Rock, Ark., Rev. Code § 3-17(a) is hereby amended to a new subsection (12) as follows:

(a) A monitoring company shall;

(12) Register the required alarm permit of each alarm user at the time of new service or alarm system conversion or takeover.

Section 5. Little Rock, Ark .. Rev. Code § 3-20(e) is hereby amended to read as follows:

(c) In addition. any person operating a non-permitted alarm system will be subject to a civil penalty of One Hundred Dollars (\$100.00), in addition to any other fines. In addition, the alarm installation *and/or* alarm monitoring company will each be subject to a civil penalty of Two Hundred Fifty Dollars (\$250.00) for each false alarm in addition to any other civil penalties. The alarm administrator may waive this additional civil penalty for a non-permitted system if the alarm user submits an application for alarm registration within thirty (30) days after of notification of such violation.

Section 6. Little Rock. Ark., Rev. Code § 3-22(b), (c)(I) and (d) are hereby amended to read as follows:

(b) The alarm user, alarm installation company, or monitoring company, or all of them, may appeal an assessment of a civil penalty to the alarm administrator by setting forth in writing the reasons for the appeal within thirty (30) days after receipt of the civil penalty or notice of revocation.

(c) The alarm user may appeal the decision of the alarm administrator to the false alarm appeals panel as follows:

(1) The alarm user may file a written request for a review by paying an appeal fee of Twenty-Five Dollars (\$25.00) and setting forth the reasons for the appeal within thirty (30) days after the date of notification of the decision of the alarm administrator. Appeal fees will be returned to the appealing alarm user if the appeal is upheld.

(d) Filing of request for appeal shall stay the action by the alarm administrator requiring payment of a civil penalty, until the false alarm appeals panel has completed its review. If a request for appeal is not made within the thirty (30)-day period, the action of the alarm administrator is final.

Section 7. *Severability.* In the event that any title, section, paragraph, item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the ordinance.

Section 8. *Repealer.* All ordinances, resolutions, bylaws, and other matters inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

PASSED: September 6, 2016