Rules Governing the Regulation of Alarm Systems
In Unincorporated Bexar County, Texas
(Revised - January 2012)

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Section 1. Definitions.

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

    a. **Administrator**. The person designated by the Sheriff to supervise the Alarm Detail of the Bexar County Sheriff's Office, and to administer and enforce these Rules.

    b. **Alarm Detail**. The administrative unit of the Bexar County Sheriff's Office designated and authorized by the Sheriff to administer and enforce these Rules.

    c. **Alarm Site**. The specific property (real or personal) or area of the premises on or within which an alarm system is installed or placed.

    d. **Alarm System**. An alarm signal device, burglar alarm, hold up alarm, heat or motion sensor, or other mechanical or electronic device used:

        i. To prevent or detect burglary, theft, pilferage, or other loss of property;

ii. To prevent or detect intrusion; or

iii. To detect and summon aid for other emergencies.

iv. These Rules shall not apply to:

1. Alarm systems installed on the premises of health care facilities licensed by the Texas Department of Health;

2. Alarm systems installed on a motor vehicle; on premises occupied by the United States, the State of Texas, Bexar County, or on premises located in an incorporated area within Bexar County, Texas; or

3. Any alarm system designed solely to detect or give notice of fire or smoke.

e. **Alarm System Business**. Any person who sells, leases, installs, services, repairs, alters, modifies, monitors, or responds to alarm systems as a livelihood.

f. **Applicant**. The person, or an agent or employee acting on behalf of such person, for whom a permit is sought.

g. **Automatic Dialing Device**. Any device connected to an alarm system which automatically sends a pre -recorded message or coded signal to a pre-determined location indicating activation of the alarm system.

h. **Burglar Alarm**. Any alarm system intended to prevent or detect an unauthorized entry or attempt thereof into the alarm site.

i. **Central Station**. That part of an alarm system business which intercepts signals indicating the activation of an alarm system and which relays this information by live voice to a Bexar County law enforcement agency.

j. **County Law Enforcement Official**. Any certified Texas peace officer who holds a valid commission from the Sheriff or a Bexar County Constable.

k. **Disconnect or Deactivate**. To render an alarm system disabled so as not to send a signal to an alarm system business or to sound an audible alarm.

l. **False Alarm**. An alarm signal received by a County law enforcement official, or notification received from an alarm system business by live voice to a Bexar County law enforcement agency, that is later determined not to involve a criminal offense, attempted criminal offense, or other emergency of the kind for which the alarm system was designed to give notice, or as may be further defined by Chapter 233 of the Texas Local Government Code, as amended.

m. **Hold-up Alarm**. Any alarm system which, when activated by human action, gives notification of a robbery or attempt thereof.

n. **Local Alarm**. Any alarm system emitting audible and/or visual signals located at the alarm site which, when activated, causes notification to be made indirectly to the appropriate Bexar County law enforcement agency.

o. **Panic Alarm**. Any alarm system which, when activated by human action, gives notification of, or summons a law enforcement agency for any life-threatening reason.

p. **Permit**. A certificate authorizing a person to operate an alarm system for an alarm site, issued by the Alarm Detail.

q. **Permit Holder**. The person to whom an alarm system permit is issued.

r. **Person**. Includes an individual, corporation, partnership, association, organization, or a similar entity.

s. **Sheriff**. The Sheriff of Bexar County and employees of the Sheriff's Office assigned by the Sheriff or his designee to perform the duties prescribed by these Rules.

t. **Sheriff's Office**. The Bexar County Sheriff's Office, a departmental unit of Bexar County, Texas.

u. **Silent Alarm**. Any alarm system not emitting audible or visual signals located at the alarm site which, when activated, causes notification to a central station.

v. **Thirty-minute Shutoff**. An automatic device associated with a local alarm system which automatically causes the audible and/or visual indication of the local alarm to shut off and discontinue the emission of a signal after a period not to exceed thirty (30) minutes of continuous operation.

w. **Variable Tone Audible Device**. Means any audible device capable of emitting sound that is similar to an emergency vehicle siren or civil defense warning system. It shall not include an audible device that emits a steady-tone and/or a steady-tone which turns on and off, or the sound of a bell.

Section 2. Permit Requirements.

01. No person shall operate, cause to be operated, or allow the operation of an alarm system unless a valid permit has been issued by the Alarm Detail for that alarm system and is not revoked, or as otherwise allowed by law.

02. This section shall not be applicable to an alarm system business which monitors and services alarm systems installed on premises belonging to a person other than the alarm system business.

03. The intended permit holder shall have legal right of ownership or possession of the premises which are to be the alarm site set forth on the application for a permit.

04. Each permit issued by the Alarm Detail shall be valid only for the alarm site permitted and is not transferable to another person or other alarm site.

05. The Bexar County Sheriff or any other County law enforcement agency or official may not respond to a notification of activation of an alarm system unless a permit is issued and unrevoked.

06. A response made by a County law enforcement official shall be subject to any applicable policies and procedures of the Sheriff's Office governing response priorities.

07. The issuance of a permit is not intended to nor shall it create a contract, whether express or implied, creating a duty or guarantee of response from the Sheriff, the Bexar County Sheriff's Office, Bexar County, or any other agency of Bexar County.

Section 3. Application For Permit.

01. Application for a permit authorizing the operation of an alarm system shall be made in writing to the Alarm Detail on a form designed for that purpose. On such application shall be set forth:

    a. The name, mailing address, telephone numbers, and Texas driver's license number, D.P.S. identification number, or other identification approved by the Alarm Detail Administrator, of the applicant or intended permit holder if other than the applicant;

    b. The street address of the alarm site, including the particular suite or apartment number, if applicable;

    c. Any business or assumed name used for the alarm site;

    d. The name, address, and telephone number of the property owner of the alarm site if other than the intended permit holder;

    e. The types of alarm systems operating at the alarm site, e.g., burglar, panic, heat, motion;

    f. The name of the alarm system business that has installed or will install the alarm system or alarm system monitoring company, and the number of the current license issued to such business by the Texas Board of Private Investigators and Private Security Agencies;

g. The names and local telephone numbers of two (2) persons other than the permit holder, or the name and local telephone number of an alarm system business, which are able to and have agreed to:

    i. Receive notification at any time;

    ii. Come to the alarm site within one (1) hour after receiving a request from County law enforcement official to do so, or immediately upon the receipt of the request from the County law enforcement official, advise the official of the estimated time the permit holder will arrive at the alarm site;

    iii. Grant access to the alarm site and deactivate the alarm system if necessary;

h. The name, local telephone number, and current license number, issued by the Texas Board of Private Investigators and Private Security Agencies, of the alarm system business which is able and has agreed to receive calls at any time and to give County law enforcement officials the names of persons listed with that business as set out below, if:

    i. The permit holder has given the alarm system business the name and local telephone numbers of two (2) persons who are able and have agreed to receive notification any time to come to the alarm site within one (1) hour after receiving a request from a County law enforcement official to do so; or immediately upon receipt of the request from the County law enforcement official, advise the official of the estimated time the person will arrive at the alarm site, and to grant access to the alarm site and to deactivate the alarm system if necessary; and

    ii. The permit holder has authorized the alarm system business to provide the names listed with that business to a County law enforcement official, upon request, in order to obtain assistance after an alarm system has been activated;

i. A copy of the applicable document as set forth below, attached to the application form:

    i. The assumed name registration if the alarm site will be operated under an assumed name;

    ii. The partnership registration, if any, and the names and addresses of the general managing partner, and all other general partners if the permit holder is to be a partnership;

    iii. If a corporation, the corporate charter with the names and addresses of all officers and the registered agent;

iv. The certificate of authorization to do business from the Secretary of State if the permit holder is to be an out-of-state corporation;

j. A written representation that there are no dangerous or special conditions present at the alarm site, or if so, then a separate and detailed statement of the nature of said conditions; and

k. A written representation that all outstanding fees, fines, charges, costs and/or court judgments entered by a court of competent jurisdiction relating to these Rules and owed to Bexar County by the applicant or intended permit holder, if other than the applicant, have been paid or satisfied.

02. Such application shall be signed by the person making the application for the permit, acknowledging that he has read the application, affirming the correctness and accuracy of the information given on the application, authorizing the release to the Sheriff of the information required hereunder, and, if such person making the application will not be the permit holder, certifying that he is authorized to act for the intended permit holder.

03. Such application shall list the permit fees, the conditions for revocation of the permit, the response fees, and shall include by reference these Rules, referred to as the Revised Rules Governing the Regulation of Alarm Systems within Bexar County, Texas, and any amendments thereto.

04. The Sheriff shall issue a permit upon submission of an application and payment of the permit fee in accordance with these Rules, unless the Sheriff finds that:

a. Any statement made in the application was incomplete, misleading or false;

b. The applicant or the intended permit holder has not paid all outstanding fees, fines, charges, costs, and/or court judgments entered by a court of competent jurisdiction relating to these Rules and owed to Bexar County;

c. The alarm site was previously not permitted while under the control of the applicant or the intended permit holder if other than the applicant, and outstanding fines, fees, charges, costs, and/or court judgments entered by a court of competent jurisdiction are still owed to Bexar County by the applicant or intended permit holder; or

d. The alarm site has had a history of excessive false alarms because of an unreliable alarm system. The Sheriff may establish reasonable standards for determining reliability or unreliability of alarm systems as a Sheriff's Office policy.

e. If the Sheriff denies the application for a permit, he shall cause to be mailed a notice of denial to the applicant or intended permit holder at the address set out in the

application and shall furnish a copy thereof to be retained by the Alarm Detail. The notice shall state the basis for the denial and shall inform the applicant or intended permit holder that he may reapply for a permit upon resolution or correction of the condition(s) that caused such denial.

f. The Sheriff may establish written rules and policies to govern block permitting by alarm system businesses.

Section 4. Alarm Systems in Apartment Complexes.

01. Each residential unit or apartment in a multi-unit housing complex which has an alarm system is a separate alarm site.

02. The tenant of an apartment with an alarm system shall obtain a permit from the Alarm Detail before operating or causing the operation of an alarm system in the tenant's residential unit. The tenant shall provide the name of a representative of the apartment owner or property manager who can grant access to the apartment alarm site.

03. The owner or property manager of an apartment complex shall obtain a separate permit for any alarm system operated in offices or common areas of the apartment complex, each of which is considered a separate alarm site.

Section 5. Term of Permit and Renewal

01. Each new or renewal permit issued pursuant to these Rules shall be valid for a twelve (12) month term from the date of issuance as stated on the permit, and shall expire on the last day of the twelfth month. The beginning for each renewal permit term shall be on the first day of the month following expiration.

02. If the permit holder transfers or relinquishes control of the alarm site before the expiration of the twelve (12) month permit term, the permit holder, his representative, agent or employee shall notify the Alarm Detail in writing in advance of such transfer or relinquishment, and the permit shall expire on the date of such transfer or relinquishment.

03. The Sheriff shall give the permit holder at least thirty (30) days notice of the expiration date of the permit and the need for timely renewal; provided, however, that such notice or lack thereof for whatever reason shall not relieve the permit holder of his duty to renew such permit as provided hereunder. The notice shall include a statement that it is mandatory to renew the permit, the date the permit expires, instructions on how to renew the permit, the amount of the permit renewal fee, and that if not renewed prior to its expiration, the permit shall be revoked.

04. On or before the expiration of the permit term, the permit holder shall submit to the Alarm Detail a renewal permit application, as promulgated by the Alarm Detail, along with the applicable renewal fee.

05. Upon application for a renewal permit, the Sheriff shall satisfy himself that no fees, fines, charges, costs and/or court judgments entered by a court of competent jurisdiction are owed to Bexar County by the permit holder.

06. If a permit is not timely renewed after having been revoked pursuant to these Rules, the Sheriff may allow a permit to be renewed in accordance with reinstatement renewal policies.

07. A permit renewal application must be filed prior to the expiration date of the permit, and will be considered timely filed on the date the completed and certified application and permit fee are received at the office of the Alarm Detail.

Section 6. Permit Fees.

01. The fee for a new permit issued for residential alarm sites shall be $40.00 and shall be effective for a one (1) year permit term. The fee for residential alarm sites renewal will be the same fee as a new permit.

02. The fee for a new permit issued for commercial alarm sites shall be $100.00 and shall be effective for a one (1) year permit term. The fee for commercial alarm sites renewal will be the same fee as a new permit.

03. The fee for a new permit issued for gated developments shall be $50.00 and shall be effective for a one (1) year permit term. There will no fee for gated developments renewal.

04. No refund of a fee paid pursuant to these Rules shall be made.

Section 7. Amendments to Permit Application.

01. The permit holder has an affirmative duty to amend any information contained or attached to the permit application that has changed or is out of date and filed with the Alarm Detail within thirty (30) days after the information changed or was out of date.

02. Whenever a person listed on the application or listed on an amendment to the application is unable or unwilling to perform the duties set out in Sections 8 and 9 hereof, permit holder shall file an amendment to the permit application listing a person or company who is able and willing to perform those duties so that at all times the application on file with the Sheriff's Alarm Detail designates at least two (2) persons or an alarm system business who are able and willing to perform such duties.

Section 8. Duties of Permit Holder.

01. As a condition of a valid permit:

    a. The permit holder shall ensure that he or any person listed with the Alarm Detail under Sections 3 and 7 is willing and able to:

        i. Receive notification at any time;

ii. Come to the alarm site within one (1) hour after receiving a request from a County law enforcement official to do so, or immediately upon the receipt of the request from the County law enforcement official, advise the official of the estimated time the permit holder will arrive at the alarm site; and

iii. Grant access to the alarm site and deactivate the alarm system if necessary.

b. Residential permit holders shall keep the permit at the alarm site and shall produce such permit for inspection upon request of any County law enforcement official. Nonresidential permit holders shall post the permit in a conspicuous place that is in public view.

c. The permit holder shall, within forty-five (45) days of assessment or as may be otherwise ordered by a court of competent jurisdiction, pay all fines, fees, charges and costs associated with the permit and operation of the alarm system.

d. The permit holder shall maintain the alarm system in proper working order to prevent activation of the alarm system as a false alarm.

e. The permit holder shall ensure that all persons authorized to activate or deactivate the alarm system are trained in the proper operation of the alarm system.

f. The permit holder shall be responsible, and is liable, for all fines, fees, costs, and charges associated with these Rules, the permit, operation of the alarm system, and false alarms.

Section 9. Requirements For Operation of Alarm Systems; Prohibitions.

01. No person shall operate, cause to be operated, or allow to be operated any alarm system in the unincorporated areas of Bexar County, Texas, unless the following requirements are met:

a. An alarm permit is issued for the alarm site and is unrevoked.

b. Any alarm system which may be activated as a result of different types of emergency situations shall give a unique alarm signal, if so equipped, that is to designate activation as a result of a hold-up, a burglary, or any other type of emergency situation so that the proper notification and proper response can be made.

c. Any alarm system designed to emit an audible signal intended to be heard from the exterior of the alarm site, and is located within 500 feet of a public roadway, shall have a thirty (30) minute shutoff from the time of activation and the audible signal must not sound similar to that of a variable tone audible device.

d. No hold-up alarm shall include a money clip, pressure pad, or similar device(s) which can cause an activation inadvertently; and any hold -up alarm shall be designed so that it may be activated only by intentional and deliberate human action.

e. No person shall use or permit the use of any telephone device or telephone attachment which automatically selects any telephone line or number assigned to any governmental agency of Bexar County, Texas, and then transmits a pre-recorded message or similar signal.

f. No person shall use or permit the use of any device which gives notice to any County law enforcement agency by any means other than live human voice.

g. The Sheriff may set reasonable standards and procedures to be followed by any alarm system business when giving notice to a County law enforcement agency of the activation of an alarm system. Such standards and procedures shall be set out in writing and made available to any person requesting same for a reasonable reproduction fee as authorized by state law.

Section 10. Repair or Deactivation of Alarm System.

01. Upon receipt of notification in writing from the Alarm Detail that an alarm system has malfunctioned or is causing excessive false alarms:

    a. The permit holder shall have the system repaired and provide evidence to the Alarm Detail that the alarm system has been repaired within seventy-two (72) hours; or

    b. The permit holder shall cause such system to be deactivated rather than having the alarm system repaired. In such event, the permit holder shall notify the Alarm Detail of said deactivation within seventy-two (72) hours, and the alarm system shall not be reactivated until it has been repaired and the Alarm Detail has been provided evidence reflecting same.

02. If the Alarm Detail has not received evidence that the alarm system has been repaired or notification that the alarm system has been deactivated within seventy-two (72) hours, the permit shall be revoked.

Section 11. Exceptions to False Alarms.

01. No person shall intentionally or knowingly activate an alarm system for any purpose other than an emergency or threat of emergency of the kind for which the alarm system was designed to give notice; provided, however, it shall be a defense to prosecution under this subsection that the alarm system was activated solely for the purpose of testing the alarm system and the person who tested the alarm system took reasonable precautions to avoid any request for response being made to a Bexar County law enforcement agency.

02. This section shall not apply to the conduct which is prohibited by Chapter 42.06 of the Texas Penal Code, as presently enacted or as may be subsequently amended.

Section 12. Fees for Response to False Alarms.

01. There is no fee for a County law enforcement official to respond to an activated alarm system for which a valid and unrevoked permit exists, except as follows:

    a. A permit holder shall be assessed a fee of $75.00 for each false alarm, including but not limited to a hold up alarm, panic alarm, or burglar alarm, which is activated for any reason other than an emergency or threat of an emergency of the kind for which the alarm system was designed to give notice. However, during each term of the permit or renewal permit, the permit holder shall be allowed a maximum of five (5) false alarms without being assessed a charge therefor.

    b. A permit holder may be charged the full costs incurred by Bexar County in the event that the permit holder, his agent or employee intentionally or knowingly activates an alarm system for any reason other than an emergency or threat of an emergency of the kind for which the alarm system was designed to give notice.

02. No assessment or charge shall be made if the permit holder can demonstrate to the Alarm Detail through substantial evidence that the alarm was not false, or that such alarm system was being tested and the person testing such system took reasonable precautions to avoid any request for response being made to a Bexar County law enforcement agency.

03. The Alarm Detail shall evaluate each response by a County law enforcement official to the activation of an alarm system to determine whether such alarm was false.

04. The Alarm Detail shall maintain a detailed and systematic record of all false alarm charges and payments for each permit holder, or the owner or lessee of the alarm site if there is no valid permit, which is assessed a fine, fee, charge or cost.

05. For purposes of determining the fees set out above, upon determination by the Alarm Detail that an alarm was false, the burden shall shift to the permit holder to provide substantial evidence that the alarm was not false.

06. The Sheriff may waive the imposition of false alarm fees if he determines that the permitted alarm site is located within a geographical area in which an emergency qualified by the Sheriff or act of God caused an activation of the alarm systems. The Sheriff may promulgate and institute procedures governing the determination of a qualified emergency and establishing a list of qualified emergencies.

Section 13. Revocation of Permit.

01. An alarm system permit may be revoked upon the occurrence of one or more of the following:

    a. The permit holder has violated a provision of Chapter 233, Texas Local Government Code (County Regulation of Alarm Systems), any provision of these Rules, or any order of Bexar County Commissioners Court pertaining to these Rules.

b. The permit holder has failed to make payment in full to Bexar County for any fees, fines, charges, costs and/or court judgments entered by a court of competent jurisdiction within forty-five (45) days of the date the Sheriff has mailed a notice to the permit holder that such fines, fees, charges, costs, and/or court judgments entered by a court of competent jurisdiction are due and owing.

c. The permit holder accrues more than nine (9) false alarms, including the first five (5) charge-free false alarms, during a term of the permit or renewal permit. If a reinstatement renewal permit is issued in accordance with these Rules, false alarm fees authorized under Section 13 shall be assessed for each false alarm during the remainder of such permit term.

d. The permit holder accrues three (3) or more false alarms subsequent to a reinstatement renewal permit during the remainder of the then current permit term. Thereafter, the permit holder may not apply for issuance of a reinstatement renewal permit for a period of six (6) continuous months. In all other instances where circumstances other than excessive false alarms, including those which have created a hazard for County law enforcement officials responding to alarms at the alarm site, the permit holder may not apply for issuance of a reinstatement permit for a period of twelve (12) continuous months. Subject to the period that the permit holder may not apply for issuance of a reinstatement renewal permit, the twelve (12) month revocation period may be reduced, at the discretion of the Alarm Detail Administrator, upon a showing of good cause by the applicant/permit holder. During the period that the permit holder may not apply for issuance of a reinstatement renewal permit, the alarm system shall be deactivated.

e. The Alarm Detail does not receive notice that the alarm system has been repaired or deactivated as set forth in Section 11 (b).

f. The permit holder is required to attend alarm abuser class as set forth in Section 17, and has failed to satisfy this requirement prior to the expiration date of the current permit term.

g. If a permit holder fails to renew the permit prior to the expiration of the permit, as set forth in these Rules.

h. Failure to update the permit application as required by Section 7 herein.

i. Notwithstanding other provisions included in these Rules, if payment by check or credit card made to Bexar County for fines, fees, charges, costs and/or court judgments entered by a court of competent jurisdiction is dishonored or charged back, the permit shall be revoked.

02. Upon revocation or denial of a permit, written notice of such revocation or denial shall be given by the Alarm Detail to the applicant or permit holder or the applicant's or the permit

holder's representative, agent, or employee, by placing same in the U.S. mail service, certified mail, return receipt requested, addressed to the applicant or permit holder at such permit holder's address as shown in the application or its most recent amendment. In the event of revocation, a copy of such notice of revocation shall be mailed to the permit holder's alarm system business, if any. Such notice shall set forth:

a. The basis for the decision to revoke the permit or to deny the application;

b. The dates of false alarms, if any, from such alarm system;

c. The amount of any fines, fees, charges or costs assessed under these Rules, and/or court judgments entered by a court of competent jurisdiction that are due and owing at the time of the revocation or denial of a permit;

d. That a request for an administrative hearing must be received in writing by the Alarm Detail within ten (10) days of receipt of the notice of revocation or denial of a permit. Receipt of notice is defined as ten (10) days from the date of the certified mailing to the permit holder of the notice;

e. Upon receipt of a request for an administrative hearing, the Alarm Detail Administrator shall schedule a hearing within thirty (30) days to determine whether the revoked permit or denied permit application should be reinstated or the permit granted.

f. That the permit holder shall appear at the hearing and may by represented by legal counsel, may present testimony, and may cross-examine all witnesses;

g. That the decision of the hearing officer shall be final except that any permit holder shall have the right to appeal such decision within ten (10) days to a court of competent jurisdiction; and

h. The earliest date that the permit may be reinstated and the fee for a reinstatement renewal permit.

03. A revoked alarm permit constitutes a non-permitted alarm site subject to all penalties contained in these Rules, including, but not limited to, fines, fees, charges, costs, and Section 21 of these Rules.

Section 14. Reinstatement or Denial Hearing.

01. All hearings shall be held by the Sheriff or his designee, who shall be referred to as the hearing officer. The Sheriff shall not designate any person to perform the duties of hearing officer under this section who has direct knowledge of the allegations or circumstances in such investigation of the matters before the hearing officer.

02. All hearings are intended to be conducted in an informal manner; provided, however, the following rules shall apply to all such hearings:

a. All parties shall have the right to be represented by legal counsel, although an attorney is not required.

b. Each party may present witnesses in their own behalf.

c. Each party may cross-examine all witnesses.

d. Only evidence presented before the hearing officer at such hearing shall be considered by the hearing officer in rendering his findings and final decision.

e. The hearing officer may adjust fees and charges owed upon a showing of good cause by the permit holder.

f. All decisions of the hearing officer become final within ten (10) days, unless an appeal is made to a court of competent jurisdiction by the permit holder within ten (10) days of the decision made by the hearing officer.

03. If after notice, the permit holder or applicant fails to appear at the time, place and date specified for the hearing, evidence presented by the Alarm Detail shall be sufficient to establish a prima facie case showing that grounds exist for revocation of the permit or the denial of the permit.

04. Upon receipt of notice upholding the revocation of a permit or denial of the permit application, the permit holder shall deactivate and disconnect such alarm system immediately and shall surrender his permit to the Alarm Detail in person or by certified U.S. mail, return receipt requested, pending the outcome of any appeal as authorized herein.

05. If requested by any party no later than one (1) day after the hearing, the hearing officer shall prepare a Hearing Officer's Report consisting of the finding of facts and the basis of his decision, and shall mail such report to each party.

06. If the hearing officer finds that grounds exist for issuing a reinstatement renewal permit or issuing a new permit, he shall give written notice of such finding to the applicant/permit holder of such finding and decision. A reinstatement renewal permit under this section shall retain its original issuance date for purposes of determining the permit term. For the remainder of the permit term in which the permit was revoked, the permit holder will be charged a response fee, as authorized under Section 13 above, for any false alarms generated by the alarm system subject to the permit.

Section 15. Reinstatement.

01. A reinstatement renewal permit may be issued if the permit holder has failed to request a hearing within the time specified in Section 14 by filing an application for issuance of a

reinstatement renewal permit, payment of the fee for a reinstatement renewal permit, and shows:

a. That the cause of the excessive false alarms in Section 14 has been corrected; and

b. All fees, fines, charges, costs, and/or court judgments entered by a court of competent jurisdiction, owed to Bexar County, have been paid.

02. If a permit holder has had a permit revoked twice during one annual term of the permit, that person must wait a period as set forth in Section 14 (a) (4) herein, before applying for a permit. If a hearing has been requested pursuant to Section 15, the revocation period shall begin on the date of the denial issued by the hearing officer before the permit holder may apply for a permit.

03. If a reinstatement renewal permit is denied pursuant to this section, a hearing may be requested if received in writing within ten (10) working days of the date of notice of denial and as otherwise set forth in Section 14.

04. The twelve -month period of a permit term shall not be affected by permit revocation, nor periods in which the permit holder may not apply for the issuance of a reinstatement renewal permit as set forth in Section 14 (a) (4). A reinstatement renewal permit shall retain the issuance date of the original permit for the purposes of commencement of the "twelve –month period" in Section 5 of these Rules and shall not have any more charge-free false alarm responses available in addition to those already used during that period.

05. The reinstatement renewal permit shall be the only means of restoration of the lawful use of the alarm system hereunder after the permit has been revoked; provided, however, that a new permit must be applied for and issued before operation of the alarm system if the ownership or possessory rights to the alarm site have changed since the most recent application or amendment thereof. A reinstatement renewal permit is subject to the provisions of revocation as set forth in Section 14. If the permit has expired, the Alarm Detail may additionally require a prorated payment of the $ 40.00 permit renewal fee, based on the remaining months before the next full permit renewal date.

Section 16. Alarm Abuser Class.

01. The Alarm Detail may establish an alarm abuser class. This shall be not less than a two (2) hour class. The location and scheduling of alarm abuser classes shall be decided by the Alarm Detail Administrator.

02. The alarm abuser class shall include instruction about the responsible use of alarm systems and the problems and costs to Bexar County created by false alarms. Instruction shall also include how to operate alarm systems without generating false alarms.

03. The Sheriff may establish policy and criteria for identifying those permit holders who shall be notified of the requirement to attend alarm abuser class, and the means of such

notification. The criteria shall include the frequency and number of false alarms occurring at the alarm site.

04. The Alarm Detail may charge a fee of at least $10.00 for the attendance of each person attending the alarm abuser class, or such other amount as determined by the Administrator to recover the full costs incurred by Bexar County when the person (a permit holder, owner or lessee of the alarm site, or the agent or employee), who intentionally or knowingly activates the alarm system for any reason other than an emergency or threat of an emergency of the kind for which the alarm system was designed to give notice. It is presumed that after five (5) or more false alarms at an alarm site, the alarm system has been knowingly activated.

05. The Administrator shall oversee the creation and implementation of the alarm abuser class. The Administrator may request assistance of alarm system businesses and Bexar County law enforcement agencies in developing and implementing the class.

06. The Administrator may compensate alarm system businesses or their employees for assistance in conducting the alarm abuse class. Compensation shall be for the professional and technical knowledge of the alarm system business employee used to educate persons attending class in all aspects of properly installing, operating and maintaining alarm systems.

Section 17. Operating an Alarm System Without a Valid Permit.

01. Any person who operates, causes to be operated, or allows the operation of an alarm system without a valid permit shall be:

    a. Subject to criminal prosecution for a Class C misdemeanor and imposition of fines, fees, charges, costs, and/or court judgments entered by a court of competent jurisdiction.

    b. Assessed a fee of $75.00 for each false alarm, including but not limited to a holdup alarm, panic alarm, or burglar alarm, which is activated for any reason other than an emergency or threat of an emergency of the kind for which the alarm system was designed to give notice.

    c. Charged the full costs incurred by Bexar County when an alarm system is intentionally or knowingly activated and causes a false alarm, and a County law enforcement official responds to the alarm.

Section 18. Duty of Alarm System Business to Furnish Information.

01. An alarm system business which installs alarm systems within the unincorporated portions of Bexar County and participates in block permitting according to the policies of the Alarm Detail, shall file a completed application on behalf of the permit holder.

02. An alarm system business which installs or which has previously installed an alarm system within the unincorporated portions of Bexar County, and does not participate in block

permitting as set forth above in subsection (a), shall provide the following information in a format acceptable to the Alarm Detail:

a. The name, address, and telephone number of the applicant or permit holder where the alarm system is installed;

b. The type of alarm system installed at the alarm site; and

c. Written confirmation that each alarm site and applicant or permit holder has been notified of the requirement to obtain an alarm permit as promulgated by these Rules.

03. Upon request, an alarm system business shall divulge to the Alarm Detail, upon written notice, any information contained in the business records of the alarm system business which the Alarm Detail deems necessary to administer and enforce these Rules.

04. For all alarm systems installed subsequent to the enactment of these Rules, the information required under subsection (b) hereof shall be provided to the Alarm Detail not earlier than twenty (20) days prior to the date of installation of such system nor later than forty-eight (48) hours after such system is installed.

05. Information provided to the Alarm Detail of the Sheriff's Office pursuant to these Rules shall be treated as confidential information and will not be disseminated except for legitimate law enforcement purposes and the administration and enforcement of these Rules, or a s may be required under the law.

Section 19. Operation of Central Station or Answering Service.

01. Any alarm system business which operates a central station and any telephone answering service for purposes of monitoring alarm systems shall:

a. Have sufficient personnel trained in the procedures to be followed in receiving and relaying notice of the activation of any alarm system at all times to ensure that emergency messages or alarm signals received by such business can be relayed immediately to the Sheriff's Office. Notification to the Sheriff's Office of the activation of an alarm system shall include:

i. The street address of the alarm site, including the particular suite or apartment number, if applicable, and directions to the alarm site, including the closest intersection of major streets;

ii. The name of the permit holder and the permit number;

iii. The type of alarm activated; and

iv. The name and local telephone number of the persons to notify, as authorized by the permit holder.

b. Notify the permit holder or his designees of the activation of the alarm system within twenty-four (24) hours of the time the alarm was activated, not to include weekends and holidays, by telephone or by placing written notice in the mail, addressed to the permit holder. If there is no permit holder, then notice shall be given to the person contracting with the alarm system business.

c. Keep a written record of the date and time each notification of the activation of an alarm system was received and the date, time , and method by which the permit holder, his designees, or the person contracting with the alarm systems business were notified.

02. Such records shall be retained for at least two (2) years and shall be made available for inspection by the Sheriff's Office when a request is made at the office of the alarm system business or telephone answering service during regular business hours.

a. Test or cause to be tested all equipment used by the central station or telephone answering service relating to the receipt of notifications of the activation of any alarm system and the equipment used in relaying those notifications to the Sheriff's Office at least one time in every twelve (12) month period and, where a test result is unsatisfactory, correct or cause to be corrected within a reasonable period of time not to exceed seven (7) days from the date of testing the cause of the unsatisfactory test result.

b. Produce evidence of the results of tests conducted pursuant to subsection (d) above upon request of the Sheriff's Office to inspect such evidence. The requirements of this subsection shall be satisfied if such results are made available at the central station or telephone answering service on the next regular business day after request is made.

c. Not provide answering service for any alarm system business which is not licensed by the State of Texas. A violation under this subsection shall only be enforceable according to state law and the remedies, policies and procedures provided for therein.

Section 20. Criminal and Civil Penalties for Violations.

01. A person who violates any provision of Chapter 233, Texas Local Government Code, any provision of these Rules, or any order of Bexar County Commissioner's Court pertaining to these Rules commits a Class C misdemeanor and, upon conviction thereof, may be punished by fine and imposition of any applicable response fees and costs incident to such violation.

02. Pursuant to Section 502.185 of the Texas Transportation Code, vehicle registration of the permit holder may be refused until all fines, fees, charges, costs and/or court judgments entered by a court of competent jurisdiction are paid in full.

03. Enforcement of these Rules is not limited to remedies of Chapter 233, Texas Local Government Code or Section 502.185, Texas Transportation Code.

Section 21. Miscellaneous.

01. Any notice required by these Rules to be sent by the Sheriff's Office to the permit holder shall be considered sufficient if mailed to the billing address as set forth in the permit application or the most recent amendment thereto.

02. The Sheriff may from time to time promulgate and institute policies and procedures necessary to implement and enforce these Rules.

03. The Bexar County Criminal District Attorney shall represent Bexar County, the Sheriff, the Sheriff's Office and the Alarm Detail in all hearings and proceedings conducted under these Rules, and additionally shall collect unpaid fines, fees, charges, costs assessed pursuant to these Rules, and/or court judgments entered, including any additional costs the County may be entitled to, by a court of competent jurisdiction owing to Bexar County.

04. If any provision of these Rules is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of these Rules will not be affected thereby; it being intended that no portion hereof will become inoperative or fail by any such reason.

05. Words of any gender or numbers shall be construed to include the other gender or number as necessary to give full force and effect to these Rules.

06. Bexar County, the Commissioners Court, the Sheriff, the Sheriff's employees or agents, and any other law enforcement agency of Bexar County are not liable for an action arising out of the regulation of or failure to regulate alarm systems or these Rules.

07. The Sheriff or the Sheriff's representative shall provide a copy of these Rules to each permit holder, and the cost of the copy shall be included in the permit fee. A copy of these Rules shall also be provided to a person upon request for a fee to cover the costs of reproduction, overhead and mailing in accordance with Chapter 552, Texas Government Code.