

Chapter 6-15

FALSE SECURITY ALARMS

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Section 6-15-01 PURPOSE

The purpose of this Chapter is to reduce the number of false security alarms thereby enhancing police response time for critical calls for service and reducing the costs to the City for the police response to the increasing number of false security alarms. Further, the intent of this Chapter is to encourage alarm businesses and alarm users to maintain the operational viability of security alarm systems and to hold owners of alarms systems accountable for the costs associated with responding to false alarms.

(6479, Repealed & Replaced, 06/20/2006; 6346, Amended, 10/05/2004; 3947, Added, 12/20/1976)

Section 6-15-02 DEFINITIONS

For the purposes of this Chapter, the following terms, phrases, and words, and derivations thereof, shall have the meaning given herein. The word "shall" is mandatory and not merely directory.

- A. Alarm Installation Company
A Person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an Alarm System in a business or residence.
- B. Alarm Officer
The Chief of the Boise Police Department or his designee.
- C. Alarm Monitoring Business
Any person, firm or corporation who is engaged in the monitoring of security alarm systems and the summoning of police response to activations thereof. This includes both businesses that are engaged in alarm monitoring for profit and businesses that have specialized units or subsidiaries that monitor only their own alarm systems.
- D. Alarm User
Any person who purchases, leases, contracts for, or otherwise obtains a security alarm system or contracts for the servicing or maintenance of a security alarm system.

- E. **Alarm System**
Any mechanical, electrical or other device which is designed or used for the detection of a trespass, burglary, or robbery within a building, structure, or facility, or for alerting others to a hazard or to the commission of an unlawful act within a building, structure, or facility, or which emits a sound or transmits a signal or message when activated and which is designed to elicit a response from the Police Department. Alarm systems include, but are not limited to, direct dial telephone devices, audible alarms and proprietor alarms. Devices which are not designed or used to register alarms but are audible, visible, or perceptible outside the protected building, structure or facility are not included with this definition. An alarm system includes all the necessary equipment designed and installed for the detection of a trespass, burglary, robbery or other hazard in a single building, structure, or facility, or for alerting others to the commission of an unlawful act within a building, structure or facility.
- F. **Audible Alarm**
A device designed for the detection of unauthorized entry or presence on certain premises which generates an audible sound or signal on such premises when it is activated.
- G. **Automatic Dialing Device**
An alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of an emergency situation that the alarm system is designed to detect.
- H. **Emergency**
Any condition for which the alarm was designed and installed, and which results in a response of police personnel.
- I. **Enhanced Call Verification**
An independent method whereby the alarm monitoring company attempts to determine that a signal from an automatic alarm system reflects a need for immediate police assistance or investigation. This verification process will be conducted by the alarm system monitoring personnel and shall consist of making two phone calls to the responsible party or parties and shall not take more than five minutes from the time the alarm signal has been accepted by the alarm system monitoring company. At least one of the two phone calls must be made to a party off the premises upon which the alarm system is installed.
- J. **False Alarm**
An alarm signal, message, transmittal, or communication which is activated from an alarm system and which is responded to by personnel of the Police Department for which no emergency situation exists or existed as determined by the responding police personnel. False alarms shall not include alarms caused by natural occurrences such as hurricanes, tornadoes, earthquakes, or other extraordinary circumstances determined by the alarm officer to be clearly beyond the control of the alarm user.
- K. **Holdup Alarm (also Duress Alarm, Robbery Alarm or Panic Alarm)**
An alarm signal generated by the manual or automatic activation of a device, or any system, device or mechanism on or near the premises intended to signal that a robbery or other crime is in progress, and that one or more persons are in need of immediate police assistance in order to avoid injury, serious bodily harm or death at the hands of the perpetrator of the robbery or other crime.

- L. **One Plus Duress Alarm**
A security alarm system which permits the manual activation of an alarm signal by entering on a keypad a code that either adds the value of 1 to the last digit of a normal arm/disarm code (e.g., the normal arm/disarm code “1234” if entered as “1235” automatically activates the duress alarm feature) or that involves entering any incorrect final digit to a normal arm/disarm code.
- M. **Penalty Status**
That status achieved by more than one (1) false alarm within the calendar year beginning January 1 and ending December 31.
- N. **Person**
Any individual, partnership, association, corporation, or organization of any kind, or any governmental entity or political subdivision thereof.
- O. **SIA Control Panel Standard CP-01**
The ANSI – American National Standard Institute approved Security Industry Association – SIA CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce the incidence of false alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations, will be marked to state: “Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction.”
(6479, Repealed & Replaced, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-03 DUTIES OF ALARM INSTALLATION AND MONITORING COMPANIES

- A. The Alarm Installation Company shall 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.
- B. After completion of the installation of an alarm system, an Alarm Installation Company employee shall review with the Alarm User the Customer Alarm Prevention Checklist (Appendix A) or an equivalent checklist approved by the Alarm Officer. The signed Checklists shall be maintained by the Company for a period of three (3) years.
- C. After the effective date of this ordinance, Alarm Installation Companies shall not program alarm systems so that they are capable of sending One Plus Duress Alarms. Monitoring Companies may continue to report One Plus Duress Alarms received from alarm systems programmed with One Plus Duress Alarms prior to enactment of this ordinance. However, upon the effective date of this ordinance, when a takeover or conversion occurs or if an Alarm User requests an alarm system inspection or modification, the Alarm Installation Company must remove the One Plus Duress Alarm capability from such alarm system.
- D. After the effective date of this ordinance, Alarm Installation Companies shall not install a device to activate a Holdup Alarm which consists of a single action and non-recessed button.
- E. An Alarm Installation or Monitoring Company shall not install or use Automatic Dialing Devices.

- F. Enhanced call verification is required. After the effective date of this ordinance, every Alarm Monitoring Company shall verify every security alarm signal prior to requesting a police dispatch by making two phone calls to the responsible party or parties not more than five minutes from the time the alarm signal has been accepted by the alarm system monitoring company. At least one of the two phone calls must be made to a party off the premises upon which the alarm system is installed.
- G. Upon notification that an alarm system is activated, the Alarm Monitoring Company shall immediately proceed to silence the alarm or ensure that the alarm is silenced. The silencing of the alarm must be completed within fifteen (15) minutes after notification of activation when the alarm system is protecting a residential structure or within thirty (30) minutes when the alarm system is protecting a commercial or industrial structure.

(6479, Repealed & Replaced, 06/20/2006; 5382, Amended, 03/17/1992; 5291, Added, 01/29/1991)

Section 6-15-04 RESPONSIBILITIES OF ALARM USERS

- A. Each Alarm User shall maintain each alarm system in good working order, and provide the necessary service to prevent malfunctions.
- B. Each Alarm User is responsible for assuring that his/her/their alarm system is used properly and in accordance with the manufacturer’s directions and the law. Inherent in this responsibility is assuring that all persons with access to the alarm system are properly trained on correct use of the system and are authorized to cancel accidental activations, and assuring that procedures and practices are followed that minimize the risk of false alarms.
- C. Upon notification that an alarm system is activated, the Alarm User shall immediately proceed to silence the alarm or ensure that the alarm is silenced. The silencing of the alarm must be completed within fifteen (15) minutes after notification of activation when the alarm system is protecting a residential structure or within thirty (30) minutes when the alarm system is protecting a commercial or industrial structure.
- D. Each Alarm User is responsible for paying service fees when it is determined that the Alarm User has maintained a Public Nuisance Alarm.

(6479, Repealed & Replaced, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-05 MAINTAINING A PUBLIC NUISANCE ALARM

- A. No person shall maintain, operate, use or attempt to use an alarm system which generates more than one (1) false alarm in a calendar year.
- B. Any alarm system maintained, operated, used, or attempted to be used in violation of this Section shall be deemed a public nuisance alarm. In addition to reimbursement or any other remedy available to the City, the City may impose a service fee for each and every false alarm after one (1) within the calendar year as determined by following the schedule below:

2nd false alarm within the calendar year . . . \$50.00

3rd false alarm within the calendar year . . . \$75.00

4th false alarm within the calendar year \$100.00

5th and subsequent false alarm within the calendar year \$200.00

C. Where the alarm system is deemed a public nuisance as provided in this section, the Alarm Officer shall provide the Alarm User written notice informing the Alarm User of the penalty status and the finding of public nuisance.

D. Special Rule for Public Schools

The fee for the second false alarm in any calendar year is waived for an alarm system at any public or private elementary or secondary school. The third and subsequent false alarms in any calendar year are charged at the standard service fee rate.

E. Review by Alarm Officer

1) The Alarm User may request the Alarm Officer to review and reconsider the determination of public nuisance by submitting a written request to the Alarm Officer within ten (10) days upon receipt of the notice of penalty status and nuisance. Failure to submit a written request in compliance with this Section is deemed a waiver of any and all rights to appeal.

2) The Alarm Officer shall review the determination and send the Alarm User his findings as to whether the alarm system is a public nuisance in writing by certified mailing within fifteen (15) days.

F. Appeal to City Council

The Alarm User may request a hearing before the City Council after filing a written Notice of Appeal to the City Clerk no later than ten (10) days after mailing of the Alarm Officer's finding of public nuisance.

(6479, Repealed & Replaced, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-06 COMPLIANCE

A. An Alarm User who has notice of his/her alarm system being deemed a public nuisance shall be assessed a service fee in accordance with 6-15-05.

B. An Alarm User who has notice of the assessed penalty or any amount due in reimbursement shall remit within fifteen (15) days the amounts due to the City of Boise.

(6479, Repealed & Replaced, 06/20/2006; 5382, Amended, 03/17/1992; 5291, Added, 01/29/1991)

Section 6-15-07 PROHIBITED ALARM SYSTEMS

A. No person shall use or operate an automatic dialing device or any device programmed to initiate and deliver a message or signal to any telephone number belonging to the City of Boise or to any law enforcement dispatch service.

B. No system shall have an entry or exit delay of less than 45 seconds.

(6479, Repealed & Replaced, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-08 VIOLATIONS

- A. It shall be unlawful to operate or maintain any alarm system as herein defined in this Chapter for any purpose other than reporting such trespasses, burglaries, robberies, or other crimes involving potential serious bodily injury or death.
- B. It shall be unlawful for any person to operate or use a public safety alarm system for any purpose other than that for which it is installed, or for any purpose other than detecting and reporting a trespass, burglary, robbery or other permitted purpose.
- C. It shall be unlawful for any Alarm User or other person to install, operate or use any alarm system as herein defined in this Chapter which malfunctions due to improper installation or operation and that results in the generation of false alarms.

(6479, Repealed & Replaced, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-09 ENFORCEMENT OF ALARM ORDINANCE AND PENALTIES

Unless otherwise provided, any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by imprisonment in the County Jail not to exceed six (6) months, or by a fine not exceeding one thousand dollars (\$1,000.00), or by both.

(6479, Repealed & Replaced, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-10 SEVERABILITY

If any clause, sentence, paragraph, section, or any part of this Chapter shall be declared and adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this chapter.

(6479, Repealed & Replaced, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-11 Repealed

(6479, Repealed, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-12 Repealed

(6479, Repealed, 06/20/2006; 5291, Added, 01/29/1991)

Section 6-15-13 Repealed

(6479, Amended, 06/20/2006; 5291, Added, 01/29/1991)