

CITY OF GEM LAKE, RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. 48

AN ORDINANCE REGULATING THE USE OF ALARM SYSTEMS, ESTABLISHING USER FEES, ESTABLISHING A SYSTEM OF ADMINISTRATION OF SUCH ALARMS, AND PROVIDING PENALTIES FOR FALSE ALARMS.

Section 1. Title. This ordinance shall be known, cited, and referred to as "the Alarm Ordinance," except as herein referred to as "this ordinance."

Section 2. Scope and Purpose.

- (a) **Scope.** This ordinance provides regulation for the use of fire, burglary, and safety alarms, establishes users' fees and establishes a system of administration.
- (b) **Purpose.** The purpose of this ordinance is to protect public safety services of the City from misuse of public safety alarms and to provide for the maximum possible service to public safety alarm users.

Section 3. Definitions.

- (a) **Alarm System:** An alarm installation designed to be used for the prevention or detection of burglary, robbery, or fire and located in a building, structure, or facility.
- (b) **Alarm User:** The person, firm, partnership, association, corporation, company, or organization of any kind in control of any building, structure, or facility wherein an alarm system is maintained.
- (c) **False Alarm:** An alarm signal eliciting a response by personnel of the Public Safety Department when a situation requiring a response does not, in fact, exist and which is caused by the activation of the alarm system through mechanical failure, pet movement, alarm malfunction, improper installation, or the inadvertence of the owner or lessee of an alarm system or of his/her employees or agents. False alarms do not include alarms caused by climatic conditions such as tornadoes, thunderstorms, utility line mishaps, violent conditions of nature, or any other conditions which are clearly beyond the control of the alarm manufacturer, installer, or owner.
- (d) **Public Safety Department:** The Ramsey County Sheriff's Department with respect to an alarm system designed to be used for prevention or detection of burglary or robbery; the Fire Department of the City of White Bear Lake with respect to an alarm system designed to be used for the prevention or detection of fire.

Section 4. Reports of False Alarms; Notice to Alarm User. The Public Safety Department shall file, a written report of each false alarm with the Administrator of this Ordinance. Upon receipt of the first false alarm report at an address, the Administrator shall, by certified mail, notify the alarm user of the provisions of this ordinance.

Section 5. User Fees; Notice. An alarm user owning an alarm system which precipitates or reports more than three (3) false alarms in a calendar year shall be subject to a penalty of \$50.00 per false alarm in excess of three (3) and \$150.00 per false alarm in excess of fifteen (15) false alarms in a calendar year. Upon receipt of a fourth and all subsequent false alarms reports as to an alarm system, the Administrator shall notify the alarm user by certified mail that the threshold number of false alarms has occurred and that the applicable user fee specified in the previous sentence hereof has become due and owing.

Section 6. Appeals Process. Any alarm user who is required by the City to pay a user fee as the result of a false alarm may make a written appeal of the false alarm charge to the City Council within ten (10) days of the City's mailing of the notice of false alarm. The City Council will have authority to make a final determination as to whether the appellant is to be charged with a false alarm.

Section 7. Payment of Fees.

- (a) **When and Where Due.** Payment of user fees provided for under Section 5 must be made to the City Treasurer within thirty (30) days of the date of notice by the City to the alarm user. Failure to pay the fee within said thirty (30) day period will cause the alarm user to be considered delinquent and subject to a penalty of a full ten percent (10%) of the fee due.

(b) **Delinquencies.** All delinquent charges for user fee shall be certified by the Administrator to the Ramsey County Department of Property Taxation for collection with taxes due against the property on which the alarm system is installed. This certification process shall take place on a yearly basis by October 10 of each year or by such earlier date as is necessary to have the delinquent charges collectible with taxes due and payable against the property in the next calendar year.

Section 8. Alarm Report When an alarm user has incurred five (5) false alarms or more within one (1) calendar year, the alarm user shall submit a written report to the Administrator within ten (10) days after being charged with the fifth false alarm, describing actions taken to discover and eliminate the cause of the false alarms. Failure to submit a written report required by this Section will be considered a violation of the Ordinance.

Section 9. Administrative Rules. The Administrator may promulgate such rules as may be necessary for the implementation of this Ordinance and the administration thereof.

Section 10. Confidentiality

(a) All information submitted in compliance with this Ordinance shall be held in confidence and shall be a confidential record exempt from discovery to the extent permitted by law.

(b) Subject to requirements of confidentiality, the Administrator may develop and maintain statistics for the purpose of on-going alarm systems evaluation.

Section 11. Enforcement and Penalties. Failure of omission to comply with any Section of this Ordinance shall be deemed a misdemeanor and may be so prosecuted, and subject to the penalties hereinafter provided. Upon conviction a violation of this Ordinance shall be punishable by a fine of not more than \$700.00, imprisonment for a period not to exceed ninety (90) days, or both.

Section 12. Enactment. This Ordinance No. 48 was enacted and placed in full force and effect on 17 August 1987 by a unanimous vote of the Gem Lake City Council.

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