

ARTICLE II. - ALARM SYSTEMS

FOOTNOTE(S):

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Editor's note—Ord. No. I-245, Pt. A, adopted Dec. 7, 1987, amended this Code with provisions relative to alarm systems but did not specify the manner of inclusion. At the discretion of the editor, the provisions of ordinance Pts. A and C have been added as Ch. 14, Art. II, §§ 14-16—14-26, and the existing provisions of Ch. 14 pertaining to the police department have been redesignated as Art. I.

Sec. 14-16. - Short title.

This article shall be known and may be cited as "The City of Fort Pierce Alarm Systems Ordinance."

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-17. - Purpose.

The purpose of this article is to establish standards and regulate the various types of intrusion, hold-up and other emergency signals from alarm users that require police and fire response or investigation.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-18. - Definitions.

Unless it is apparent from the context that another meaning is intended, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Alarm agent. The term "alarm agent" means any person employed by an alarm business whose duties include altering, installing, maintaining, moving, repairing, replacing, selling, servicing and responding to an alarm system.

Alarm business. The term "alarm business" means any business operated by a person for a profit which engages in the activity of altering, installing, maintaining, moving, repairing, replacing, selling, servicing and responding to an alarm system.

Alarm system. The term "alarm system" means an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention and to which police or fire are expected to respond. This definition does not include alarm systems on motor vehicles or proprietary systems. If, however, an alarm system on a motor vehicle is connected with an alarm system on premises (other than a proprietary system), the system is an alarm system as defined in this section. This definition also does not include alarm systems which are used only to alert or signal persons located within the premises in which the alarm system is located of an attempted unauthorized intrusion or hold-up attempt. If such a system, however, employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside the premises, such a system shall be subject to the provisions of this article.

Alarm user. The term "alarm user" means any person on whose premises an alarm system, as defined in this section, is maintained within the City of Fort Pierce.

Annunciator. The term "annunciator" means the instrumentation on an alarm console at the receiving terminal of a signal line which, through both visual and audible signals, shows when an alarm device at a particular location has been activated or when line trouble is indicated.

A.N.S.I. The abbreviation "A.N.S.I." stands for the American National Standards Institute.

Answering service. The term "answering service" refers to a telephone answering service providing, among its services, the service of receiving emergency signals from alarm systems on a continuous basis, directed through trained employees, and thereafter immediately relaying the message by live voice to the 911 communications center.

Automatic dialing device. The term "automatic dialing device" refers to 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 the emergency situation that the alarm system is designated to detect.

Automatic hold-up alarm system. The term "automatic hold-up alarm system" means an alarm system in which the signal transmission is initiated by the action of the intruder.

Burglar alarm system. The term "burglar alarm system" refers to an alarm system signaling an entry or attempted entry into the area protected by the system.

Central station. The term "central station" means an office to which remote alarm and supervisory signaling devices are connected where operators supervise the circuits.

Central station equipment. The term "central station equipment" refers to the signal receiving, recording or retransmitting equipment installed in the central station.

Central station system. The term "central station system" means a system in which operation of electrical protection circuits and devices are signaled automatically to, recorded in, maintained and supervised from a central station having trained operators in attendance at all times.

City and county. The word "city" means City of Fort Pierce, Florida, and the word "county" means St. Lucie County, Florida.

Direct connect. The term "direct connect" means an alarm system which has the capability of transmitting system signals to and receiving them at an agency maintained by the local government; for example, a police communication center.

Direct line. The term "direct line" means a telephone line leading directly from a central station to the communication center of 911 and the fire department, which is for use only to report emergency signals on a person-to-person basis. Direct lines are not permitted to any law enforcement center.

False alarm. The term "false alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or of his employees or agents, which results in dispatch of law enforcement agency or fire district personnel. False alarms do not include:

- (1) Alarms caused by hurricanes, tornadoes, earthquakes or other violent conditions;
- (2) Alarms transmitted because of a water main break or similar causes that occur outside of the

protected property;

- (3) Alarms covered by Sections 401.44 and 806.101, Florida Statutes;
- (4) Alarms transmitted from an occupied residential dwelling unit, except where the alarm is activated as a result of the negligence of the owner, lessee or occupant of the occupied residential dwelling unit.

Fire alarm systems. The term "fire alarm systems" refers to a signal or message from a person or device indicating the existence of a fire or other emergency which requires fire department action and shall mean any device designed for the detection of the products of combustion, or a system which depends on a manual initiation to inform others of the presence of fire, or both, which device when activated emits a sound or transmits a signal beyond the premises.

Fire department. The term "fire department" means the St. Lucie County/Fort Pierce fire district.

Fire marshal. The term "fire marshal" means the certified person designated as fire marshal by the St. Lucie County/Fort Pierce fire district or any authorized agent thereof.

Hold-up alarm system. The term "hold-up alarm system" refers to an alarm system signaling a robbery or attempted robbery.

Interconnect. The term "interconnect" means to connect an alarm system to a voice-grade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.

Law enforcement agency. The term "law enforcement agency" means any governmental agency or subunit thereof, providing law enforcement services within St. Lucie County, or any authorized agent thereof.

Law enforcement executive. The term "law enforcement executive" means the sheriff and/or police chiefs in St. Lucie County, or their designated representatives.

Local alarm system. The term "local alarm system" refers to a signaling system which when activated causes an audible and/or visual signaling device to be activated in or on the premises within which the system is installed.

Manual hold-up alarm system. The term "manual hold-up alarm system" refers to an alarm system in which the signal transmission is initiated by the direct action of the person attacked or by an observer of the attack.

Modified central station. The term "modified central station" means an office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits. Such a modified central station is not listed by Underwriters' Laboratories.

Occupied residential dwelling unit. The term "occupied residential dwelling unit" means an occupied dwelling that is used as a residence by a single housekeeping unit.

Person. The term "person" means any person, firm, partnership, association, corporation, company or organization of any kind.

Primary trunkline. The term "primary trunkline" means a telephone line, leading directly into the

communication center of any law enforcement agency, which is for the purpose of handling emergency calls on a person-to-person basis and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory issued by the telephone company and covering the service area within the City of Fort Pierce.

Proprietary system. The term "proprietary system" means an alarm system sounding and/or recording alarm and supervisory signals at a control center located within the protected premises, the control center being under the supervision of the proprietor of the protected premises. If a proprietary system includes a signal line connected directly or by means of automatic dialing device to a police communication center, a central station or answering service, the system is an "alarm system" as defined in this section.

Remote signaling system. The term "remote signaling system" means an alarm signaling system which when activated by an alarm device transmits a signal from an alarm signaling device to a central location, other than the law enforcement agency, fire district and/or the 911 center, where appropriate action is taken to investigate and respond to the signal.

Signal line. The term "signal line" refers to the transmission line through which the signal passes from one of the elements of the signal transmission [system] to another.

Special trunkline. The term "special trunkline" means a telephone line leading into the communication center of any law enforcement agency and having the primary purpose of handling emergency signals or messages originating either directly or through a central location from automatic dialing devices.

Subscriber. The term "subscriber" means a person who buys and/or leases, or otherwise obtains, an alarm signaling system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm device.

Telephone company. The term "telephone company" means the utility that furnishes telephone services to the citizens of the City of Fort Pierce, St. Lucie County, Florida.

U.L. The abbreviation "U.L." stands for Underwriters' Laboratories.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-19. - Automatic dialing device—Interconnecting to trunklines.

No automatic dialing device shall be interconnected to any primary or special trunkline at any law enforcement agency or fire department in the City of Fort Pierce, St. Lucie County, unless under special investigative purposes as authorized by the chief executive of the law enforcement agency or the fire marshal for said county.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-20. - Same—Operating instructions service.

(a) Every alarm business selling or leasing to any person an automatic dialing device, which is installed on such person's premises in the county after the effective date of this article, shall furnish that person with instructions which provide adequate information as required by the National Fire Protection Association Standards to enable persons using such device to operate it properly and, if the device is to be serviced or maintained by another alarm business, shall furnish such other alarm business with a manual or other information, including a diagram of the final installation, necessary

to enable it to service or properly maintain such device.

- (b) If the law enforcement executive or fire marshal responsible finds such instructions to be incomplete or unclear, or inadequate to explain how the device operates and is constructed, he may require the alarm business to revise the instructions and mail them out by certified letter to provide adequate information and then to distribute the revised information to persons who have had such devices installed, as well as to persons subsequently having such devices installed.
- (c) Every alarm business selling or leasing to any person an automatic dialing device, which is installed on such person's premises in the city after the effective date of this article shall furnish to the person buying or leasing such device written information and training concerning how service may be obtained at any time, including telephone number to call for service.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-21. - Direct connections to law enforcement agencies and/or fire department.

No direct connections shall be permitted in the City of Fort Pierce, unless authorized by the chief executive of the law enforcement agency or the fire marshal for said city.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-22. - Equipment maintenance.

- (a) Each subscriber, at his expense, is required to maintain all components of his alarm system in good working order at all times to ensure that the sensory mechanism used in connection with such device is adjusted to suppress false indications of hold-ups or intrusions or fire or smoke conditions, so that the device will not be activated by impulses due to short flashes of light, wind, noises, vehicular noise or other forces unrelated to genuine alarms.
- (b) No alarm system designed to transmit emergency messages shall be tested or demonstrated without first notifying the central station, 911 central communications and the fire department.
- (c) Fire alarm systems shall be required to have a maintenance contract for testing and inspections, in accordance with National Fire Protection Association (NFPA) standards; for example, smoke and/or heat detectors, manual pull stations and water flow alarms (sprinkler systems). Copies of the maintenance contract and test results of the fire alarm system shall be forwarded to the fire marshal within thirty (30) days from the date of the test.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-23. - Alarm permit required; application; term; fee; issuance.

- (a) *Required.* No person shall install or operate an alarm system serving a premises or a building, or portion thereof, unless an alarm permit in the form of a decal has been issued hereunder and is in force authorizing the use of such alarm. For any alarm system existing prior to the effective date of this article, an alarm permit application shall be made within sixty (60) days of the effective date hereof. Any after-the-fact permit issued to persons who initially failed to obtain a permit shall be issued at twice the cost of the permit fee.
- (b) *Application.* Applications for alarm permits shall be made to the St. Lucie County Tax Collector on forms provided by the tax collector. The application shall be signed by the alarm user and shall provide the following information:
 - (1) Name, address and telephone number of the alarm user;
 - (2) Address and telephone number of the alarm user's premises or building to be served by the alarm;
 - (3) The name, address and telephone number of the person or persons in charge of the premises

or building served by the alarm;

- (4) The name, address and telephone number of the person or entity installing said alarm;
- (5) The name, address and telephone number of the person or entity monitoring said alarm;
- (6) The name, address and telephone number of the person or entity providing maintenance and repair service to said alarm.

An amended application shall be filed within ten (10) days after any change in the information provided in said application. Upon such amendment, a new alarm permit shall be issued without charge or fee.

- (c) *Term.* An alarm permit shall have a term of three (3) years from the date of issuance, said term to begin October first and end September thirtieth. Any alarm permit issued after October first will be valid for the following two (2) years through September thirtieth.
- (d) *Fee.* A ten dollar (\$10.00) fee shall be charged to the alarm user by the county for each permit issued, including successive renewal permits, to defray the cost of regulation.
- (e) *Nontransferable.* Any alarm permit issued pursuant to this article shall not be transferable or assignable and shall cover only one (1) building or premises.
- (f) *Issuance.* An alarm permit shall be mailed to the alarm user by the tax collector, at the address of the alarm user stated on the application, within ten (10) days after receipt of said completed application by the tax collector. An alarm permit shall be denied if:
 - (1) The requested information is not supplied on the application;
 - (2) Material information on the application is incorrect;
 - (3) Any person or entity listed on the application under subsection (b)(4) through (b)(6) of this section does not possess any required occupational or regulatory license to conduct the activities required by said subsections, unless the person or entity is the alarm user.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-24. - Excessive false alarm signals.

No person shall allow, permit, cause or fail to prevent the emission, for any reason, by any alarm used by him or any alarm serving the premises or a building occupied and controlled by such person, of more than three (3) false alarms within any six (6) month period of time. The emission of more than three (3) false alarms within any six (6) month period of time is excessive and constitutes a serious public nuisance and is subject to service charges as set out in section 14-25.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-25. - False alarm service charge; collection; disbursement; appeal; refusal to pay.

- (a) *Charges.* For response to excessive false alarms by the law enforcement agencies, the alarm user shall be charged a service fee by the city of fifty dollars (\$50.00) for the first alarm in excess of three (3) false alarms in any six (6) month period, seventy-five dollars (\$75.00) for the second false alarm in excess of three (3) in any six (6) month period, and one hundred dollars (\$100.00) for the third and each successive false alarm in excess of three (3) in any six (6) month period. For response to excessive false alarms by the fire department, the alarm user shall be charged a service fee by the city of one hundred twenty-five dollars (\$125.00) for the first alarm in excess of three (3) false alarms in any six (6) month period, one hundred fifty dollars (\$150.00) for the second false alarm in excess of three (3) false alarms in any six (6) month period and two hundred dollars (\$200.00) for the third and each successive false alarm in excess of three (3) in any six (6) month period. The law enforcement executive or fire marshal shall determine whether a false alarm has occurred and the frequency of such false alarms, and the tax collector shall notify alarm users of amounts owed to the city and shall

make demand therefor, pursuant to the provisions of this section.

- (b) *Appeal.* The decision of the law enforcement executive or fire marshal may be appealed to the code enforcement board by filing a written notice of appeal with the code enforcement board secretary within thirty (30) days from the date the law enforcement executive or fire marshal renders his decision.
- (c) *Collection.* Once notified by tax collector's office, the user will have thirty (30) days to pay any said service charges. All service charges collected shall only be used to offset the costs incurred in responding to false alarms.
- (d) *Refusal to pay.* The city may proceed by a suit in a court of competent jurisdiction to collect said charge after demand thereof has been made by the tax collector and the payment thereof refused by the alarm user.
- (e) *Disbursement.* Service charges will be disbursed to the fine and forfeiture accounts of each law enforcement agency and the general fund of the St. Lucie County/Fort Pierce fire district which responded to the false alarm or in a manner as agreed to by all affected agencies.

(Ord. No. I-245, Pt. A, 12-7-87)

Sec. 14-26. - Penalties.

Failure to comply with this article shall constitute a violation of the Code of the City of Fort Pierce and shall be enforced by the code enforcement board of the City of Fort Pierce by hearing and penalty, as generally provided by sections 2-240 through 2-260 of the Code of Ordinance of the City of Fort Pierce, Florida.

(Ord. No. I-245, Pt. A, 12-7-87)