

SHELBY COUNTY ORDINANCE NO. 2011-5 SHELBY COUNTY ALARM ORDINANCE

(REPLACES ORDINANCE NO. 1996-4)

THIS ORDINANCE SHALL ESTABLISH FEES FOR THE MONITORING OF ALARMS, ESTABLISH THE DEFINITION OF ALARMS, ESTABLISH POLICIES AND PROCEDURES REGARDING THE CONNECTION, MONITORING, OR DISCONNECTION OF ALARMS RECEIVED BY THE SHELBY COUNTY EMERGENCY MANAGEMENT AGENCY, AND ESTABLISH FINES AND PENALTIES FOR UNAUTHORIZED CONNECTION OF ALARMS TO 911 LINES OR OTHER TELEPHONE LINES TERMINATING AT THE COMMUNICATIONS FACILITY. THIS ORDINANCE SHALL FURTHER SET FEES FOR FALSE ALARMS AND ESTABLISH DEFINITIONS AND PENALTIES FOR ABUSE OF THE 911 SYSTEM.

ENFORCEMENT OF THIS ORDINANCE SHALL BE THE RESPONSIBILITY OF THE SHELBY COUNTY ATTORNEY.

FINES, PENALTIES, OR REVENUE GENERATED AS A RESULT OF THIS ORDINANCE WILL BE DEPOSITED IN THE SHELBY COUNTY EMERGENCY MANAGEMENT AGENCY ACCOUNT AND WILL BE USED TO PAY FOR THE COST OF MAINTAINING AN EFFECTIVE PUBLIC SAFETY COMMUNICATIONS PROGRAM.

DEFINITIONS

AS USED IN THIS ORDINANCE, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS ASCRIBED TO THEM IN THIS SECTION, UNLESS THE CONTEXT CLEARLY INDICATES A DIFFERENT MEANING.

SHELBY COUNTY EMERGENCY MANAGEMENT AGENCY: *(SCEMA) established under Iowa Code Chapter 29C. Agency responsible for the receiving and dispatching of emergency 911 calls and calls for assistance from the public to all law enforcement, fire, EMS and other public safety agencies within Shelby County.*

SHELBY COUNTY EMERGENCY MANAGEMENT COORDINATOR: (EMC) person responsible for overall operation of the SCEMA.

SHELBY COUNTY EMERGENCY MANAGEMENT EXECUTIVE COMMITTEE: (EXECUTIVE COMMITTEE Seven person board consisting of the Sheriff, a member of the board of supervisors, the Harlan Police Chief, a representative of the Shelby County Emergency Services Association, and three at large electees from the Emergency Management Commission, who are responsible for approval of permanent policy and oversight of the SCEMA.

SHELBY COUNTY BOARD OF SUPERVISORS: The elected Board of Supervisors for Shelby County, Iowa.

DISPATCHER: Employee of the SCEMA, who receives alarms and takes actions based on the alarm type. These include alarms generated by telephone, radio, teletypes, scanners, or other devices located temporarily or permanently at the SCEMA.

EMERGENCY ALARM SYSTEM: Any device which signals automatically or manually an event or activity which is illegal or otherwise a threat to public safety. This includes burglar, intrusion, holdup, fire, drawer, motion, OR proximity alarm, silent or audible.

NONEMERGENCY ALARM SYSTEM: Any device which signals automatically or manually a condition or situation for which the alarm owner desires a response or notification. This includes environmental, power off, call forwarding, answering services, or other status alarms.

TEMPORARY ALARM: Any device which signals automatically or manually an event or activity which is illegal or otherwise a threat to public safety or being used in criminal investigation. These alarms are placed by a criminal justice agency for a specified period of time.

ALARM BUSINESS: A privately owned company or business which receives emergency and/or nonemergency alarms and notifies designated responders of their activation. This includes security companies.

ALARM OWNER: Any public or private person, agency, organization, corporation, or business which owns or operates an alarm on property owned, leased or otherwise controlled .

ALARM VENDOR: Any company selling, installing, servicing, leasing, or contracting with an alarm owner.

FALSE ALARMS: Any alarm received which necessitates response by a public safety agency where an emergency situation does not exist.

Section 1: SCEMA will provide alarm monitoring services to those citizens in Shelby County, who so request, according to those guidelines established herein. SCEMA will not advertise or otherwise solicit directly for alarm owners to send their alarms to the SCEMA.

Section 2: Alarm owners will comply with all provisions of this ordinance. Each alarm owner will have a completed ALARM MONITORING AGREEMENT signed and dated prior to any alarm being sent to the SCEMA.

Section 3: The EMC will determine the method by which each alarm is sent and received by the alarm owner. This includes designation of specific telephone lines, data transmission methods, alarm numbers, or other identifying characteristics. Inquiries regarding installation by potential alarm owners will be referred to the EMC.

Section 4: All alarms will be billed at a fee determined by the Executive Committee. Alarm billings will be sent annually, unless otherwise designated by the Executive Committee. Alarm revenue will be deposited in the Emergency Management Agency account.

Section 5: SCEMA assumes no liability for equipment installed by or for the alarm owner. The user owned equipment is the sole responsibility of the alarm owner.

SCEMA will make an effort to properly monitor all alarms. However, SCEMA is not liable for any loss sustained through the result of human error or monitoring malfunction.

SCEMA assumes no liability for delays in installation of equipment or for interruption of service due to strikes, riots, floods, fire, or acts of God or any causes beyond the control of the SCEMA. SCEMA will not be required to supply service to the user while interruption of service due to any such cause shall continue.

Section 6: Alarms can be tested only on prior notice having been given to the SCEMA. The request for alarm testing will be granted at the discretion of the dispatcher on duty at the time of the request. Testing may necessarily be delayed or deferred due to more emergent business of the SCEMA.

Section 7: False alarms will be reported to the dispatcher by the responding agency, who will notify the EMC. Alarm owners will be allowed no more than three false alarms in any one calendar year. Upon the fourth and every subsequent false alarm the alarm owner will be billed a fee of \$25.00 per false alarm. These funds shall be deposited in the SCEMA account.

Faulty alarms will be disconnected by the alarm owner until remedial maintenance can be performed. Alarms determined to be faulty or otherwise not compatible with the operation of the SCEMA communications operations will be disconnected on demand, by the owner, at the request of the EMC.

No alarms will be allowed on 911 trunks. Alarm owners found to be installing alarms on 911 trunks will be instructed to remove them immediately. Further alarm activation on 911 trunks will result in a penalty and citation of \$100.00 per alarm.

Unauthorized alarms are those which are discovered upon activation and received at the SCEMA communications center on any non-designated telephone line, 911 trunk, or off premise extension of any agency providing lines within the SCEMA. Alarm owners found to be installing alarms on these lines will be instructed to immediately remove those alarms and make arrangements with the EMC for an application. Subsequent activation of those alarms will result in a \$100.00 fine.

SCEMA is not obligated to respond to, or follow the directions of, unauthorized alarms.

False alarms generated with the intent to disrupt or otherwise adversely effect the provision of vital public services will be referred to the Sheriff and County Attorney for criminal prosecution.

Section 8: Alarm businesses who contact the SCEMA with notice of an alarm on any line will be promptly dispatched according to the priorities and services requested. SCEMA is not obligated to, nor will SCEMA attempt to, verify alarms received in this method prior to dispatching the requested service. Local services responding will be informed of the fact that this call is being generated by an alarm and is coming from an alarm business. False alarms generated as a result of these calls shall be subject to the same penalty as indicated in Section 7.

Section 9: SCEMA provides call forwarding and answering services at the discretion of the Executive Committee. Request for nonemergency alarm response will be considered on a case by case basis by the Executive Committee. Request for these services must be related to the public good. The number of nonemergency alarms shall not exceed a reasonable number, nor interfere with the priority operations of the dispatcher.

Section 10: Temporary alarms installed by law enforcement agencies will not be billed. The on duty dispatcher will be notified by the installing agency of the alarm. Pertinent alarm information as contained in the ALARM MONITORING AGREEMENT will be completed by the on-duty dispatcher and installing officer and filed in a location not visible to the public or casual observer in the dispatch area. The on-duty operator will advise each succeeding operator of the alarm. The EMC will be informed of all such alarms on his next regular work period.

Section 11: Copies of this Ordinance as adopted herein shall be on file and available for public inspection in the office of the Shelby County Auditor.

Section 12: This Ordinance shall be effective after its final passage, approval and publication as provided by law.

Adopted and passed by the Shelby County Board of Supervisors on this 3rd day of January, 2012.

SHELBY COUNTY BOARD OF SUPERVISORS