

## "SECTION 54-9 REGULATION OF FALSE ALARMS

(a) Purpose To regulate responsibilities of those persons who purchase, rent, or use alarm systems, devices or services. This section is also intended to encourage the improvement and reliability of these systems, devices and services and to insure that Police and Fire Department personnel will not be unduly diverted from responding from actual criminal activity as a result of responding to false alarms. This section specifically encompasses fire alarms, burglar alarms, robbery alarms, hold-up alarms, medical alarms, and panic alarms, both audible and inaudible (silent). The provisions of this section shall not apply to alarm systems which are owned or maintained by the City of Fort Oglethorpe, with the exception of those alarms which are installed by a tenant on premises in which the City merely has a property interest as a landlord.

### (b) Definitions

(1) "Alarm" shall mean and include any fire, robbery, burglary, hold-up, medical or panic alarm that transmit any signal (audible, visual or silent) to the City, indicating a pre-determined emergency condition, whether the alarm is received either:

(A) By a telephone line to a designated position on an alarm panel;

(B) By a private alarm service company relayed to the City Communications Center telephone;

(C) By an automated telephone alarm system, playing a recorded message when received on the City Communication Center telephone; or

(D) By a signal relayed to the City Communication Center by a third party.

(2) "False alarms" shall mean the activation of an alarm system where none of the

emergencies for which the alarm system has been installed, have in fact occurred.

(3) "Response" shall mean the dispatch of any police or fire unit to the premises where an alarm has been activated or the arrival of an officer to the location by any means of notification.

Automatic dialers; automatic response alarm systems

It shall be unlawful to key automatic response alarm systems to any City of Fort Oglethorpe, or Fort Oglethorpe Police Department telephone number. Such alarm shall only be keyed to a private answering service, who can then notify the City of Fort Oglethorpe or the City of Fort Oglethorpe Police Department.

State law reference - O.C.G.A. §36-60-12.

False alarms

(1) Fees for response per police/fire response to any false alarm of an automatic alarm response system or independent alarm system, the chief of police/fire chief or their designees shall charge and collect from the person, business or legal entity using or maintaining the automatic response alarm system or independent alarm system, fees as follows:

(A) For a first or second response to premises to which no other false alarm has occurred within a calendar year, no fee shall be charged.

(B) For a third response to a false alarm within a calendar year, no fee shall be charged, but notice shall be given to the personal business using or maintaining the alarms system of the false alarms and the requirements of this section, including the fee requirement for any subsequent false alarm responses by the police/fire departments within

the calendar year.

(C) Upon a fourth response to a false alarm that premises within a calendar year, a fee of \$50.00 shall be charged to the person occupying the premises. Upon a fifth response within a calendar year, a fee of \$75.00 shall be charged; and for all succeeding responses within a calendar year, a fee of \$100.00 shall be charged per response.

(D) All charges when there has been a response to a false alarm at a premises within //a calendar year greater than three responses shall be made through the Fort Oglethorpe Municipal Court by way of a citation.

(e) Automatic cut-off system

All audible alarms, sirens, bells or horns shall have an automatic cut-off so that the alarm will not operate for more than thirty (30) continuous minutes after activation.

(f) Penalties

Any person, firm, or corporation violating the provisions of subparagraphs (c) or (e) of this section shall be fined not less than \$100.00 nor more than \$500.00 by the Municipal Court of the City of Fort Oglethorpe for each offense"

**SECTION 2.** The preamble to this Ordinance is hereby incorporated into the Ordinance as if set out fully herein.

**SECTION 3.** These sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared illegal by the valid judgment or decree of any Court of competent jurisdiction, such illegality shall not affect any of the remaining phrases, clauses,

sentences, paragraphs and sections of this Ordinance.

**SECTION 4.** Penalties for violation of this ordinance are found in Section 1 herein and are reincorporated here by reference.

**SECTION 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**SECTION 6.** The adoption date of this Ordinance is January 16, ~~2000~~. 2001


**SECTION 7.** The effective of this ordinance shall be the same date as the adoption date.

**ORDAINED**, this 16th day of January, ~~2000~~; 2001

**CITY OF FORT OGLETHORPE, GEORGIA**

  
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**JUDSON BURKHART, MAYOR**

ATTEST:

  
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**KEN MARKS, CITY CLERK**

APPROVED AS TO FORM:

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**STEPHEN B. FARROW, CITY ATTORNEY**