

ORDINANCE NO. 659

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, AMENDING CHAPTER 96 OF THE CODE OF ORDINANCES OF THE CITY OF LAKE MARY; PROVIDING FOR REGULATIONS FOR ALARM SYSTEMS WITHIN THE CITY OF LAKE MARY, FLORIDA; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY AS FOLLOWS:

SECTION I. That Chapter 96 of the Code of Ordinances is hereby amended as follows:

96.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ALARM SYSTEM." ~~A signal (audio or visual, recorded or live) transmitted~~ A system designed to transmit a signal (audio or visual, recorded or live) to the Police or Fire Departments indicating a predetermined condition including, but not limited to, burglary alarm, fire alarm or robbery alarm. The alarm is received either:

- (1) Via telephone line to a designated position on an alarm panel.
- (2) Via a private alarm service company relayed to the Police or Fire Department telephone.
- (3) Via an automated telephone alarm system, playing a recorded message when received on the Police or Fire Department telephone.
- (4) Via an audible/visual signal relayed to the Police or Fire Department by a third party.

"BURGLARY ALARM." An alarm system ~~designated~~ designed to indicate ~~a condition of~~ an unauthorized entry, forced entry, or attempted forced entry into a premise.

"FALSE ALARM." The activation of an alarm, by any means, including, but not limited to, a system test with no notification, which does not represent the designated condition including, but not limited to, burglary alarm, fire alarm, or robbery alarm.

"FIRE ALARM." An alarm system or Water Flow System designated to indicate the presence of fire or smoke.

"ROBBERY ALARM." An alarm system designed to indicate that a robbery or hold-up is in progress or has taken place.

"TELEPHONE ALARM SYSTEM." Any alarm system which automatically transmits by telephone line a recorded electronic or mechanical signal to a telephone instrument at the Police or Fire Department. The system shall be totally automated and require no relaying or action by a human being.

96.02 DUTIES OF OWNER OR LESSEE OF PREMISES.

(A) Prior to the installation or substantial modification or use of an alarm system which is defined in 96.01, the owner or lessee of the premises shall furnish the Police and Fire Departments with such information as the Departments deem necessary to provide adequate response to the alarm. Newly installed or substantially modified systems shall be allowed to operate for a period of 30 days from the date of installation or modification without penalty for false alarms, provided the Police and Fire

1 Departments are notified of the installation or modification in
2 advance of same.

3
4 ~~(B) Owners or lessees of existing alarm systems as defined in~~
5 ~~96.01 under "ALARM" in division (1) or (3) shall have 60 days from~~
6 ~~April 18, 1985 to comply with the above notice requirements.~~
7

8
9 (B) The owner or lessee of any premises at which an alarm
10 system is installed shall register the installation with the police
11 department and fire department and shall be liable to the city for
12 all service fees rendered for false alarms pursuant to this
13 Ordinance. Notwithstanding any provision to the contrary herein
14 contained, the owner or lessee of a premises which has an
15 unregistered alarm system shall be liable for a service fee
16 commencing with the first false alarm.
17

18 (C) Owners or lessees of any alarm system shall provide
19 response to the alarm location, when requested, in order to reset
20 or disable the alarm system within one hour of notification.
21 Failure to provide the response may result in a charge of \$50 for
22 each occurrence, payable to the city. The charge may be waived in
23 the discretion of the Chief of Police or Fire Chief provided good
24 cause therefor shall have been promptly demonstrated to the Chief.
25

26 (D) ~~The operator~~ owner or lessee of every place of business
27 premises which utilizes an alarm system as defined in 96.01, shall
28 provide the Police Department, Fire Department or Alarm Monitoring
29 Company with a minimum of three current working telephone numbers
30 of persons to be notified in case of an emergency.
31

32 (E) All alarm systems having an audible or visual signal at
33 the premises shall be so equipped so as to automatically shut off
34 the audible or visual signal after 15 minutes. Those systems
35 required by law to have a longer operating period shall be equipped
36 so as to automatically shut off the audible or visual signal at the
37 conclusion of the longer required operating time. Penalty, see
38 10.99
39

40 (F) Telephone Alarm devices shall be so constructed or
41 installed such as to not seize or otherwise hold or preempt the
42 telephone lines of the Lake Mary Police or Fire Department.
43
44
45

46 96.03 ALARM CLASSIFIED IN REPORT.

47

48 For each response by the Police Department or Fire Department
49 to an alarm, the Department will cause a report to be filed,
50 classifying the alarm as one of the following.
51

52 (A) False alarm or system test with no notification.

53
54 (B) Valid alarm for cause designated.
55

56 96.04 WARNING NOTICE ISSUED FOR EXCESS FALSE ALARMS; REPORT FROM

57 OWNER.
58

59 Upon the reception of a third false alarm within six months,
60 the Police Department or Fire Department shall issue a warning
61 notice to the owner or lessee or management of the premises
62 involved. The owner or lessee or manager shall file a written
63 report with the Police Department or Fire Department within five
64 working days indicating any and all measures taken to reduce false
65 alarms. Penalty, see 10.99
66

67 Cross-reference:

68 Intentional false alarm of fire prohibited, see 133.01
69

1 96.05 SERVICE FEE.

2
3 There shall be a service fee charged by the city for false
4 alarms according to the following schedule.

5
6 First response (none in the last 6 months), No fee.

7
8 Second response (within six months), No fee.

9
10 Third response (within six months), warning, No fee.

11
12 Fourth response and over (within six months), \$50 fee, per
13 response.

14
15 ~~Fifth response and over (within six months), \$100 fee~~

16
17
18 96.06 CERTAIN FALSE ALARMS NOT SUBJECT TO SERVICE FEE.

19
20 If, within ~~ten days~~ thirty (30) days from the occurrence of a
21 false alarm the owner or lessee ~~or manager~~ of the premises at which
22 the alarm is installed can demonstrate to the satisfaction of the
23 Police Chief or Fire Chief that the alarm system in question has
24 actually been examined by a repair service ~~authorized by the system~~
25 ~~manufacturer~~ and either repaired, if the ~~repair~~ malfunction was the
26 cause of the false alarm, or certified ~~that the system is to be~~ in
27 good working order, then providing the false alarm was not caused
28 by ~~employee~~ human error, or was the result of an act of God, the
29 false alarm shall not be considered a false alarm for the purpose
30 ~~of 96.05 providing for~~ of the assessment of a service fee.

31
32 96.07 DISCONNECTION OF ALARM SYSTEM FOR UNPAID FEES.

33
34 (A) Upon failure of an owner or lessee or manager of a
35 premises to pay any fee specified in this chapter within 30 days,
36 the Chief of Police or Chief of Fire shall be authorized to
37 disconnect or order the disconnection of the alarm system from the
38 Police and Fire Department. It shall be unlawful to reconnect to or
39 fail to disconnect the alarm system from the Police or Fire
40 Department unless and until appropriate corrective action has been
41 taken and the connection of an alarm system is authorized by the
42 Chief of Police or Chief of Fire.

43
44 (B) Prior to any disconnection of any alarm system from the
45 Police or Fire Department, the owners or lessees of the system
46 shall be notified of intent to disconnect by personal service of
47 the notice or by delivery of a certified mail copy of the notice.
48 Disconnection by the city shall not occur any sooner than seven
49 days following service of the notice.

50
51 (C) No disconnection or deactivation shall be ordered or made
52 as to any premises required by law to have an alarm system in
53 operation.

54
55 (D) The owner, lessee, or manager shall be responsible for
56 all costs incurred in collecting the service fee including
57 attorneys' fees.

58
59 (E) All fines and fees imposed under this chapter which
60 remain unpaid for a period of 30 days following imposition thereof
61 may result in the recording of an order imposing the fine in the
62 public records and thereafter shall constitute a lien against the
63 land on which the violation exists.

64 Penalty, see 10.99

65
66 (F) Failure of the Owner to correct malfunctions or pay such
67 service fees as applicable will result in the Police or Fire
68 departments not being required to respond to the alarm location.

1 SECTION II. CODIFICATION. The Code of Ordinances of the
2 City of Lake Mary, be and the same is hereby amended in accordance
3 with the terms, provisions and conditions of this Ordinance.
4 Further that the sections of this Ordinance may be renumbered or
5 relettered to accomplish said amendment.
6

7 SECTION III. All ordinances or resolutions or parts of
8 ordinances or resolutions in conflict herewith are hereby repealed
9 to the extent of any conflict.
10

11 SECTION IV. If any section, subsection, sentence, clause,
12 phrase, word or portion of this ordinance or the application
13 thereof to any person or circumstances is determined to be invalid,
14 or unconstitutional by any court of competent jurisdiction, such
15 portion shall be deemed a separate, distinct, and independent
16 provision and such holding shall not affect the validity of the
17 remaining portion hereto.
18

19 SECTION V. EFFECTIVE DATE OF PASSAGE. This Ordinance shall
20 take effect immediately upon passage and adoption.
21

22 FIRST READING: August 19, 1993
23

24 SECOND READING: September 13, 1993
25

26
27 PASSED AND ADOPTED this 19 day of September, 1993.
28

29
30 CITY OF LAKE MARY, FLORIDA

31 Lowry E. Rockett
32
33 MAYOR, LOWRY E. ROCKETT
34

35 ATTEST:

36 Carol A. Foster
37
38 CITY CLERK, CAROL A. FOSTER
39

40 APPROVED AS TO FORM AND LEGALITY:

41 Ned N. Julian, Jr.
42
43
44 CITY ATTORNEY, NED N. JULIAN, JR.
45

46
47 alarm.ord