

# CHAPTER XI. PUBLIC OFFENSES

## ARTICLE 3. NUISANCE ALARM SYSTEMS

### SECTIONS

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**11-301. NUISANCE ALARM SYSTEMS PROHIBITED.** It shall be unlawful for any person or business to own, lease or otherwise utilize for the purpose of providing security to person or property, any burglary, robbery, fire or panic alarm system deemed to be a nuisance. Nuisance alarm systems shall be defined as follows:

- (a) **False alarms.** Any alarm which elicits a response from the police and/or fire departments more than three times in a calendar year when no emergency exists is defined as a nuisance alarm. Exempt from this definition are newly installed alarms which shall receive a grace period of 30 days or four false alarms, whichever occurs first; alarm signals caused by extraordinary conditions of nature or other extraordinary circumstances beyond control of the owner, operator, or contractor; and alarm systems owned or operated by any governmental political unit.
- (b) **Direct telephone alarms.** Any alarm which is programmed to automatically dial any telephone number, listed or unlisted, directly into any city department for the purpose of transmitting a voice recording of any emergency message.
- (c) **Disturbing alarms.** Any alarm which emits an audible or visible signal which is not automatically discontinued within 15 minutes of activation.
- (d) **Unregistered alarm systems.** Any alarm system which is not registered with the City.

It shall further be unlawful for any person to transmit an alarm of any kind knowing that such alarm is false or that no emergency exists.

(Ord. 1467C; 02-21-95)

(Code 2000)

(Ord. 1906C; 08-06-01)

- 11-302. REGISTRATION OF ALARM SYSTEMS.** No person shall operate an alarm system without registering with the City each such alarm system on forms established by and provided by the Alarm Coordinator. The annual fee for each such registration shall be set forth in section 1-701 of the City Code.  
(Ord. 1467C; 02-21-95)
- 11-303. DISTURBING ALARMS TO BE DISCONNECTED OR MODIFIED.** It shall be unlawful for any person or business to fail to disconnect or modify any disturbing alarm as defined in 11-301 within 72 hours of mailing of written notice from the police department that such a condition exists. (Code 1973, 10-903 and Disturbing the Peace, 11-205) When no responsible party can be located, the police department may take necessary steps to safely silence any such alarm. Costs associated with such action will be assessed to the person or business, and the City accepts no liability for damages to property or persons as a consequence of its efforts.  
(Ord. 1467C; 02-21-95)
- 11-304. NOTIFICATION OF NUISANCE ALARMS.**  
Upon receiving the third false alarm in a calendar year, the city shall notify the responsible party by first class mail of such occurrences and that additional false alarms shall require the payment of fees as per section 11-306 of this article. Such written notification shall be assumed to have been delivered three days after mailing.  
(Ord. 1467C; 02-21-95)  
(Code 2000)  
(Ord. 1906C; 08-06-01)
- 11-305. RESPONSIBLE PARTY.** The responsible party shall be the resident for a residential alarm system and the business owner or manager for a business alarm system, regardless of whether such system is owned, leased, rented or otherwise controlled.  
(Ord. 1467C; 02-21-95)
- 11-306. FALSE ALARMS; FEES REQUIRED.** Any alarm system which has recorded more than two false alarms within a calendar year shall be subject to the fees set forth in the Fee Schedule established and maintained by the city administrator, as prescribed in section 1-701. The payment of the fee provided for shall be submitted to the city within 10 days of receiving notice that such fee is due. The chief of police may waive all or part of such fees if the responsible party participates in approved education designed to reduce the occurrence of false alarms.  
(Ord. 1467C; 02-21-95)  
(Code 2000)  
(Ord. 1906C; 08-06-01)  
(Ord. 2177C; 08-07-06)

**11-307. APPEALS.** An alarm system user who desires to appeal a fee imposed by section 11-306 shall submit a written request for a hearing to the chief of police, who shall notify the governing body. The governing body shall then direct the alarm appeals committee consisting of three members appointed by the Mayor with the consent of the Council to meet and consider the appeal. Committee members shall serve two year terms.

(Ord. 1578C; 05-06-96)

**11-308. DESIGNATION OF ALARM COORDINATOR; DUTIES.** There is hereby established the position of alarm coordinator. The alarm coordinator shall:

- (a) Maintain records necessary to carry out the terms of this article; such records shall be confidential.
- (b) Make notifications as outlined in section 11-304.
- (c) Establish, distribute, and enforce such rules and regulations as may be necessary for implementation of this article, and make same available upon request. Such regulations are hereby incorporated into this section by reference.
- (d) Determine which alarms constitute false alarms as defined in section 11-301.

(Ord. 1467C; 02-21-95)  
(Code 2000)

**11-309. NON-RESPONSE TO ALARMS.** Nothing herein shall imply or otherwise convey the impression that there is a duty to respond to any alarm system utilized to convey messages of whatever character to the police or fire departments of the city.

(Ord. 1467C; 02-21-95)  
(Code 2000)  
(Ord. 1906C; 08-06-01)

**11-310. PENALTY.** Any person convicted of a violation of any of the provisions of or failing to comply with any of the mandatory requirements of this article shall be guilty of a public offense and punished by a fine of not more than \$500 or by imprisonment not to exceed six months or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by any such person.

(Ord. 1467C; 02-21-95)

**11-311. NON-RESPONSE TO CERTAIN ALARMS.** The chief of police shall have authority to declare an alarm system to be a problem system. Upon issuance of such declaration, the police department will not respond to burglary, robbery and/or medical or panic alarm signals from such problem system at which time further application of the fee schedule of Section 1-701 shall cease but the user will be responsible for all fees incurred up to that time. At such time as the responsible party takes corrective action acceptable to the chief of police and the alarm coordinator, the police and/or fire departments may resume response to the alarm system.

(Ord. 1467C; 02-21-95)

**11-312. CONTROL PANEL STANDARD INCORPORATED BY REFERENCE.** There is hereby incorporated by reference the “Control Panel Standard – Features for False Alarm Reduction ANSI/SIA CP-01-2000”, copyright 1994-2000 SIA, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three copies of said Control Panel Standard shall be marked or stamped “Official Copy as Incorporated by Ordinance No. 2177C”, and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. All new alarm system control panels installed, taken over, converted or re-modeled after January 1, 2007, must meet all provisions of this Standard.

(Ord. 2177C; 08-07-06)

**11-313. ENHANCED CALL VERIFICATION.** All alarm monitoring company central stations will make every practical effort to contact the alarm site by means of telephone or other electronic means to determine the validity of an alarm signal before requesting dispatches from the City. For the purposes of this ordinance, telephone verification shall require, as a minimum that a second call attempt be made to a different number if the first call fails to reach an alarm user who can properly identify themselves to determine whether an alarm signal is valid before requesting dispatch. Panic and hold up alarms will not be subject to enhanced call verification.

(Ord. 2177C; 08-07-06)