

Ordinance 2004-02

An Ordinance to Establish Regulation of Alarms in Burnett County

The County Board of Supervisors of the County of Burnett does ordain as follows:

WHEREAS, the Burnett County Sheriff's Department dispatches emergency services for Burnett County, including the Burnett County Sheriff's Department, village and township police departments, fire departments and ambulance services, to alarms at business and residential locations within the county, and;

WHEREAS, many responses are to false alarms caused by mechanical failure, malfunction, improper installation or maintenance, improper use of alarm systems, and;

WHEREAS, Burnett County desires to promote the proper installation, maintenance, and use of alarm systems and reduce the number of responses to false alarms;

NOW THEREFORE, the Burnett County Board of Supervisors, meeting in regular session, does hereby ordain as follow:

1. **Definitions:**

For purposes of this ordinance the following definitions shall apply:

- a. **Alarm System:** An assembly of equipment and devices arranged to signal the presence of a hazard to which public safety agencies are expected to respond. In this ordinance the term "alarm system" shall include burglar alarms, fire alarms, hold-up/panic alarms, smoke-detection alarms, or any other type of alarm system which sends out a signal which requires action to be taken in response to the signal.
- b. **Alarm User:** Any person who owns or occupies a premise within the county in which an alarm system is used, or to which Burnett County dispatches services.
- c. **Alarm Business:** A business which directly or indirectly provides, sells, leases, maintains, monitors, services, repairs, alters, replaces, moves or installs any alarm system.
- d. **Central Monitoring Station:** Any answering service, office, or facility to which remote alarm systems are connected, which is staffed by operators who receive, record, and/or validate alarm signals and relay the occurrence of such signals by live voice to the Burnett County Sheriff's Department Dispatch Center.
- e. **False Alarm:** The activation of an alarm system when an emergency situation does not exist caused by:
 1. The accidental, negligent, or intentional act of an alarm user, or the alarm users employee, agent, licensee or invitee, or;
 2. Improper manufacture, installation, monitoring, maintenance, or repair.

2. **Automatic Dialing Devices Prohibited**

No person shall interconnect, use, or cause to be used, any automatic dialing device which automatically selects a public telephone number including 9-1-1, of the county and relays a pre-recorded message or coded signal indicating the existence of an activated

alarm system. The relaying of messages to the Burnett County Sheriff's Department Dispatch Center shall be accomplished only by person-to-person communication.

3. **Testing**

No Alarm System shall be tested or demonstrated without first obtaining approval from the telecommunicator on duty at the Burnett County Sheriff's Department Dispatch Center. No alarm system shall be tested to determine the response time or adequacy of any public safety agency.

4. **Notification**

a. Alarm users must notify the Burnett County Sheriff's Department at the time of installation of an Alarm System. The following information must be provided at that time:

1. Alarm User name.
2. Address of alarm.
3. Central Monitoring Station.
4. Keyholder(s) name.
5. Keyholder(s) telephone number.

b. When an alarm user accidentally sets off an alarm the user shall immediately notify the Burnett County Sheriff's Department Dispatch Center. Such notification, if given prior to the arrival of the public safety agency, shall nullify a false alarm situation.

5. **Violations**

a. When any public safety agency responds to an alarm that is determined to have been activated falsely, accidentally or negligently, the alarm's user is subject to the forfeitures as set forth below. The alarm user will receive written notice following the first false alarm in any calendar year commencing January 1st through December 31st.

b. Forfeitures for violations of this ordinance shall be assessed in a calendar year commencing January 1st through December 31st of any given year as follows:

1. First violation – no forfeiture.
2. Second violation - \$50.00
3. Third violation - \$100.00
4. Forth violation - \$150.00
5. Each violation thereafter shall be \$50.00 more than the previous forfeiture.

c. Any alarm user who deliberately activates an alarm to determine the response time of any public safety agency shall be required to forfeit \$100.00.

6. **County Liability**

Burnett County, its officers, employees, or agents, disclaims any liability or obligation to an alarm user or any other person for claims arising from the installation, maintenance of, operation of, or defects in any alarm, any delays in or failure of transmission of an alarm system or for responding to, delay in responding to, or not responding to any alarm system in the county.

7. **Severability**

The provisions of this ordinance, all sections and subsections, are to be severable, and the unconstitutionality or illegality of any section or subsection shall not affect the validity of the remaining sections or subsections. This ordinance does not supersede any applicable federal or state statutes or regulations that are more restrictive.

8. **Effective Date**

This ordinance shall be effective on the day following its official publication.

State of Wisconsin

County of Burnett

I hereby certify the foregoing Ordinance 2004-02 was enacted by the Burnett County Board of Supervisors at a legal meeting held on January 15, 2004, at which a quorum was present and acted throughout. The ordinance was published in BURNETT COUNTY SENTINEL on January 28, 2004.

Helen Steffen

Burnett County Clerk