

FALSE ALARM ORDINANCE

Sec. 1-1. Short Title.

This chapter shall be known and may be cited and referred to as "The Sampson County Alarm Systems Regulations".

Sec. 1-2. Purpose.

The purpose of this ordinance is to establish regulations governing alarm systems requiring response thereto by or through the Sampson County E-911 Communications Center. The terms of this ordinance shall in no way prohibit alarm companies from providing service by private source to other offices within the geographical boundaries of the County of Sampson.

Sec. 1-3. Definitions.

As used in this ordinance, the following words, terms and phrases shall have the meanings ascribed to them below, unless the context clearly indicates a different meaning:

[a] **Alarm business** means the business by any individual, partnership, corporation or other legal entity of servicing, repairing, altering, replacing, moving or installing any alarm system, or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility, and shall not include any other activity of the business.

[b] **Alarm installation** means any alarm device or combination of devices installed for one or more buildings.

[c] **Alarm system** means any electronic or mechanical device which emits any signal [electronic, visible, audible, silent, recorded or otherwise] which is designed, intended or used to detect fire, or an unauthorized entry into a building, structure, or premises, to signal a fire or attempted robbery or hold up, or to alert others of a fire or the commission of an unlawful act in or around a building, structure or premises.

[d] **Alarm user** means any person, corporation, partnership, proprietorship, governmental or educational entity owning or leasing an alarm system, or on whose premises an alarm system is maintained for the protection of the premises.

[e] **Automatic dialing device** means any type of device which automatically sends signals over regular telephone lines as opposed to dedicated alarm lines.

[f] **Officer** shall mean either a sworn law enforcement officer or a member of any county fire department.

[g] **Communication center** shall mean the Sampson County central dispatch known as the Sampson County E-911 Communications Center.

[h] **County** shall mean Sampson County, North Carolina, a political subdivision of the State of North Carolina.

[i] **False alarm** shall mean an electrical signal communicated to the communications center indicating that an unlawful entry or other crime is being committed or attempted or indicating the detection of a fire, whether to signal a fire or to alert others of a fire in or around a building, structure or premises when it is subsequently determined, after response to the alarm, that no such unlawful entry, crime or fire was either committed or in existence and that the alarm was activated in error due to the subscriber's negligence or equipment malfunction. Such alarm shall be considered a false alarm if it could have been prevented by the ordinary care of a competent subscriber or alarm business operator. An alarm transmitted during testing procedures approved in advance by the communications center shall not be deemed a false alarm.

[j] **Dedicated alarm line** means a special leased telephone line circuit maintained for the sole purpose of transmitting alarm signals.

[k] **Digital alarm** means an alarm system which automatically sends signals over regular telephone lines connecting to a digital receiving console, as opposed to a telephone hand set.

[l] **Direct connecting alarm** means an alarm utilizing dedicated alarm lines to connect to a remote receiving console.

[m] **Local alarm** means an alarm or device which produces a signal not connecting in any way to any alarm monitoring centers, such as store or home burglar alarms actuating bell devices.

[n] **Tape dialer alarm** means an alarm system which automatically sends a signal over regular telephone lines and plays a pre-recorded message.

[o] **Alarm** means the activation of an alarm system signal that produces either an audible sound that can be heard from the interior or exterior of the building causing the alarm system, or the emission of a signal to a direct monitoring service which in turn notifies the communications center that the alarm has been activated.

[p] **Alarm response** means the dispatch or response of fire or sheriff's department personnel as the result of an alarm.

Sec. 1-4. Applicability.

The provisions of this ordinance shall apply to all unincorporated portions of Sampson County and to those incorporated municipalities which have entered into an agreement with Sampson County for communications center to dispatch personnel to respond to alarms within that municipality pursuant to NCGS 153A-122.

Sec. 1-5. General Regulations.

[a] The alarm user shall be responsible for knowing the contents of this ordinance.

[b] Alarm systems may be connected directly to a private alarm control center, or may be a local alarm.

[c] All automatic dialing devices shall conform with Section 1-6 of this ordinance.

[d] Local alarms shall be of a type that sounds for no more than fifteen [15] minutes.

[e] Any alarm existing as of the effective date of this ordinance shall also be governed by the regulations of this ordinance.

[f] Each local alarm user shall furnish to the communications center the names and telephone numbers of at least three [3] persons authorized and able to deactivate the alarm system.

Should this requirement represent an undue burden upon the alarm user, an exception thereto may be requested from the Sampson County Emergency Director who shall have the authority to allow less than three [3] persons authorized and able to deactivate the alarm system but any such exception shall be written in duplicate originals

with one retained by the Director and one by the alarm user.

[g] After the effective date of this ordinance, it shall be unlawful to connect a local alarm without notifying the communications center of the name[s] and telephone number[s] of persons [singular or plural] authorized and able to deactivate the alarm system. Any changes in the name[s] or telephone number[s] of those persons [singular or plural] authorized and able to deactivate the alarm system must be communicated to the communications center immediately.

[h] Burglar alarm systems installed within those geographical areas covered by this ordinance shall be equipped with an automatic bell time cut-off module to prevent continuous alarm sounding when the user is unavailable to manually silence the alarm. System or test devices which give a delay of ten [10] seconds or longer prior to alarm system activation in order to warn the user of an open alarm circuit are highly recommended for all burglar systems in order to prevent false alarms.

[i] Alarm systems installed after the effective date of this ordinance will be required to have reset capabilities, and to reset within fifteen [15] minutes. An alarm system cut-off shall be installed to override all malfunctioning alarms. Users whose alarm systems were installed prior to the effective date of this ordinance shall one [1] year from the effective date of this ordinance to convert their systems to the extent necessary for compliance with the provisions of this ordinance.

Sec. 1-6. Automatic dialing devices; interconnection to sheriff and fire departments.

[a] No automatic dialing device shall be interconnected to any telephone numbers of the Sampson County Sheriff's Department, to any Sampson County fire department or communications centers, or either of them, after the effective date of this ordinance.

[b] Within six [6] months of the effective date of this ordinance, all automatic dialing devices interconnected to any telephone numbers of the Sampson County Sheriff's Department, any Sampson County fire department, or the communication centers for either, shall be disconnected. The user of each such device shall be responsible for having the device disconnected upon notification by the Sampson County Sheriff's Department or any anticipated responder fire department.

[c] Each separate violation of this section shall be deemed a separate punishable offense under the punishment provisions of this ordinance.

Sec. 1-7. Alarm responses.

[a] The Sampson County Sheriff's Department will provide a maximum of three [3] free burglar alarm responses and the Sampson County fire departments will also provide a maximum of three [3] free fire alarm responses to any alarm user within any calendar year. Thereafter, a user fee, as approved by resolution of the Sampson County Board of Commissioners, shall be charged for any alarm response in excess of the three [3] burglar alarm responses and three [3] fire alarm responses.

[b] The alarm user or that user's representative shall reset an alarm system when notified by a responder that the alarm has activated. When an alarm sounds continuously for a period of sixty [60] minutes from the time responders react to the alarm, due to the failure of the alarm user or that user's representative to reset the alarm, every subsequent sixty [60] minute period or portion thereof that the alarm continues to sound shall be deemed a separate alarm. The alarm user shall pay, in addition to any other fees imposed under this ordinance, the County of Sampson a flat rate fee established pursuant to a resolution passed by the Sampson County Board of Commissioners in its original form, or as amended from time to time. Such user shall, additionally, pay for the benefit of the primary responder fire department a monetary sum established by resolution of the Sampson County Board of Commissioners, as originally passed or amended from time to time.

[c] For purposes of this ordinance, calendar year shall mean January 1 through December 31.

Sec. 1-8. Exclusions.

[a] For the purpose of computing the number of alarm responses in Sec. 1-7, an alarm shall not include an alarm which is:

[1] Determined to have been activated by adverse weather conditions as reported by the Sampson County Emergency Services Director or as reported by the National Weather Service.

[2] Activated by an electrical power outage to the electric meter on the building housing the activated alarm system, provided that the alarm user shall provide proof of the electrical outage within five [5] business days of the alarm response; or

[3] An alarm where there is physical evidence of a fire, unauthorized entry, robbery, or other crime having been committed at the premises where the alarm was activated.

Any determination by an alarm responder that an alarm activation was not one of the exclusions herein may be appealed to the Sampson County Manger within seventy-two [72] hours. The decision of the County Manager shall be final.

[b] A local alarm activated during alarm system testing procedures shall not be considered an alarm for the purpose of computing alarm responses, if the alarm user first notifies the Sampson County E-911 Communications Center of the alarm testing.

Sec. 1-9. Prohibited acts.

[a] It shall be unlawful for any person to activate an alarm for the purpose of summoning either sheriff's department or fire department assistance when no fire, burglary, robbery, or other crime dangerous to life, is being committed or attempted on the premises or otherwise to cause an alarm response where there is no valid basis for causing the same.

[b] It shall be unlawful for an alarm user to fail to reimburse Sampson County, in accordance with Sec. 1-7[b] of this ordinance, for alarm response[s] through the Sampson County E-911 communication center.

Sec. 1-10. Enforcement of violations.

[a] Violations of Sec. 1-9 of this ordinance shall be misdemeanors, punishable by a fine of not more than Fifty Dollars [\$50.00], or imprisonment for not more than thirty [30] days.

[b] All other violations of this ordinance, including failure to pay the fees imposed herein within fourteen [14] days next following notice that said fees are due, shall subject the offender to a civil penalty in the nature of a debt. Such civil penalties may be recovered by the County of Sampson in a civil action in the nature of a debt, pursuant to

North Carolina General Statute 160 A-175[c].

[c] Effective on the date of this ordinance, all alarm users shall begin with a zero [0] number of responses for purposes of Section 1-7[a].

Sec. 1-11. Severability.

If any provision of this ordinance is for any reason held to be unconstitutional or invalid, such provision shall be deemed severable.

Sec. 1-12. Miscellaneous.

[a] The alarm user, upon being notified that the alarm system has been experiencing an excessive number of false alarms of has in some way become defective, shall have the alarm system inspected and repaired by a qualified individual or company so as to correct any malfunction, restore the system to proper function, and shall thereafter notify the Sampson County E-911 Communication Center when the necessary repairs have been completed.

[b] The alarm user, or the user's representative shall respond to an alarm call when there is evidence of an illegal entry or some other alarm indication and, when possible, assist law enforcement personnel in the performance of their duties. Such assistance to be provided only upon request from responding law enforcement personnel.

Sec. 1-13. Effective Date

This Ordinance shall take effect and be in force from and after the 1st day of January, ~~2001~~ 2002.

Sec. 1-14. Adoption

Duly adopted by the Sampson County Board of Commissioners on this the 21st day of May, 2001.

Sampson County

By: H. Quincy Edgerton
H. Quincy Edgerton - Chairman of the Board of Commissioners



Jerry D. Hobbs
Jerry D. Hobbs - Clerk

RESOLUTION TO BE CONSIDERED BY THE COUNTY COMMISSIONERS:

Upon motion by Commissioner McLamb, seconded by
Commissioner Naylor, the following resolution was unanimously approved:

RESOLVED, that alarm users exceeding the maximum number of false alarms allowed pursuant to the terms of The Sampson County Alarm System Regulations shall pay the following sums for the benefit of the primary responding fire department:

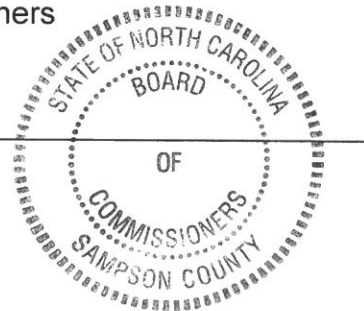
- A. For alarm response numbers four [4] through six [6] the sum of \$50.00 each.
- B. For alarm response numbers seven [7] or more, the sum of \$100.00 each.

The appropriate Sampson County collection agency is authorized and directed to institute appropriate civil actions to recover alarm response fees due pursuant to this resolution with all court costs and service fees to be taxed against the debtor.

ADOPTED this 21st day of May, 2001.

H. Oney Egle
Chairman, Board of Commissioners

James W. Hobbs
Clerk to the Board



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