

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 97 53

AN ORDINANCE ADDING SECTION 1395 "ALARM SYSTEMS"  
TO THE LAKE ELMO MUNICIPAL CODE

**Section 1. Amendment:** Section; to wit: **Section 1395 "Alarm Systems"** is hereby added to the Lake Elmo Municipal Code

## **Chapter 13 - Municipal Regulations**

### **Section 1395 Alarm Systems.**

#### **1395.01 Purpose and Intent.**

The purpose of this ordinance is to encourage security, fire or medical alarm users and alarm businesses (including, but not limited to, sales, installation, and/or monitoring) to maintain the operation reliability and the proper use of alarm systems so as to limit unnecessary police, fire and emergency medical responses to false alarms and alarm malfunctions.

This ordinance governs burglary, robbery, intrusion, fire, and medical emergency false alarms, provides for service fees for excessive false alarms, and provides for issuance of citations or assessment of service fees.

#### **1395.02 Definitions.**

As used herein, the following terms shall mean:

**Alarm Site.** Alarm site means a single premise or location, or a multi-tenant location, served by an alarm system or systems.

**Alarm System.** Alarm System means any mechanical, electrical, or radio controlled device or system which is designed to emit, transmit or relay a signal or message and which, when activated, is intended to summon, or that would reasonably be expected to summon police, fire or emergency medical services. Alarm systems include Intrusion Alarms, but does not include:

1. An alarm installed on a vehicle, unless the vehicle is permanently located at a site, or;
2. An alarm designed to alert only the inhabitants of a premise, and which does not constitute a local alarm.

**False Alarm.** False Alarm means the activation of an alarm system signal or message which elicits notification to and/or response by the Washington County Sheriff's Office and/or Lake Elmo Fire Department when there is no evidence of a crime, fire, medical emergency or other activity which warrants a call for immediate police, fire fighting or emergency medical assistance.

**Fire or Emergency Medical Alarm.** Fire or Emergency Medical Alarm means a system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire or medical emergency or supervisory signal initiating devices which are intended to summon fire or emergency medical services by the Washington County Sheriff's Office and/or the Lake Elmo Fire Department.

**Intrusion Alarm:** Intrusion Alarm means a robbery, burglary, panic or other alarm intended to summon the police, which is designed either to be initiated purposely by a person or by an alarm system that responds to a stimulus characteristic of unauthorized intrusion.

**Local Alarm:** Local Alarm means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of the structure.

**Open Door:** Anytime an officer, or citizen discovers a door or window, which is not properly secured, in a location which is protected by an alarm; and/or, anytime an officer responds to an alarm and discovers a door or window which is not properly secured.

**Varda:** A Varda is a portable self-contained alarm system which is installed by Washington County Sheriff's Office with the sole purpose of detecting a possible break-in.

**Warning Notice:** Warning Notice means a notification provided to the owner or person in charge of an alarm site by the Washington County Sheriff's Office for false alarms due to system malfunction or when no reason can be determined for the false alarm. The warning notice will require that the alarm system be inspected and or serviced within five working days with written documentation submitted to the City of Lake Elmo that the system is in working order.

#### **1395.03 Alarm Systems.**

##### **Subd 1. False Alarm Warning Notice.**

Each time the Washington County Sheriff's Office and/or the Lake Elmo Fire Department responds to a false alarm due to system malfunction or when no reason can be determined for such false alarm, the Washington County Sheriff's Office shall issue a false alarm warning notice.

**Subd. 2. Service Fee**

A service fee for excessive false alarms shall be charged as follows:

- A. No service fee shall be charged for the first three false alarms that occur within a twelve-month period calculated from the date of the first such alarm.
- B. More than three false alarms and up to and including six false alarms within a twelve-month period shall result in a service fee. Said fee shall be set from time to time by resolution of the City Council.
- C. More than six false alarms within a twelve-month period shall result in a service fee. Said fee shall be set from time to time by resolution of the City Council.
- D. The City of Lake Elmo based on false alarm response records provided by the Washington County Sheriff's Office will bill the Service Fee.

**Subd. 3. Service Fee Exceptions.**

No service fee shall be assessed if the false alarm is:

- A. Caused by an electrical storm, tornado, or other act of God where there is clear evidence of physical damage to the alarm system.
- B. Caused by intermittent disruption of telephone circuits beyond the control of the alarm site owner.
- B. Caused by electrical power disruption or failure more than two hours beyond the control of the alarm owner.
- C. At a location where the Washington County Sheriff's Department has installed the Varda or other similar alarms.

**Subd. 4. Requirement of Payment of Service Fee.**

All false alarm service fees are due and payable within thirty days from date of invoice. In the event that false alarm service fees are not paid as required by this ordinance, all delinquent accounts may be certified to the City Administrator who shall prepare an assessment roll each year providing for assessment of the delinquent accounts against the respective property served. The assessment roll shall be delivered to the Council for adoption on or before October 1 of each year. Upon approval of the assessment roll, the City Administrator shall certify to the county auditor the amount due. The county auditor shall then enter the amount as part of the tax levy on the premises to be collected during the coming year. The action may be optional or subsequent to taking legal action to collect delinquent accounts.

**Subd. 5. Violations**

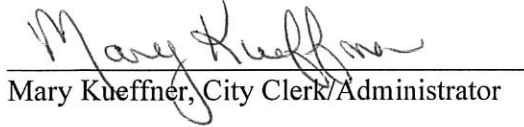
A person commits an offense in violation of this Section if such person suffers or permits three or more false alarms within a twelve-month period.

**Section 2. Effective Date:** This ordinance shall become effective upon its passage and publication according to law.



Lee Hunt, Mayor

Attest



Mary Kueffner, City Clerk/Administrator

Adopted by the Lake Elmo City Council the 15<sup>th</sup> day of February, 2000.

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