

ORDINANCE NO. 2009-07

ORDINANCE OF THE CITY OF RIESEL, TEXAS PROVIDING FOR FINES FOR FALSE ALARMS RESPONDED TO BASED ON AN ALARM SYSTEM NOTIFICATION AND PROVIDING FOR CERTAIN RULES TO BE FOLLOWED IN THE OPERATION OF ALARM SYSTEMS, AND PROVIDING FOR VIOLATION OF THE REGULATIONS ESTABLISHED BY THE ORDINANCE TO BE AN OFFENSE (MISDEMEANOR) PUNISHABLE BY A FINE NOT TO EXCEED \$500.00

WHEREAS, the City and its Police Force have incurred significant costs and diversion of resources due to responding to false alarms issued by alarm systems, and

WHEREAS, most false alarms are due to the poor installation and maintenance of alarm systems, and

WHEREAS, to encourage property owners and lessees to improve such systems to cut down on false alarms, it is necessary for the City Council to pass regulations in this area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIESEL, TEXAS that:

1. Definitions

Alarm System An alarm signal device, burglar alarm, hold up alarm, or electronic device used to prevent burglary, theft, or criminal activity by summoning the aid of the City's Police Department either directly or through a monitoring security company.

False Alarm An alarm signal or notification received by the City's Police Department that is determined by responding police personnel not to involve a criminal offense or attempted criminal offense for which the alarm is designed to give notice. A false alarm will not have been considered to have occurred unless the police department responds within 30 minutes of the alarm signal or notification and determines from an inspection of the interior or exterior of the premises that the alarm was false.

2. Penalties for False Alarms

If at least three false alarms have occurred during the preceding 12-month period at a location, the City may assess a penalty for each subsequent false alarm at the location of:

(a) \$50, if the location has had more than 3 but less than 6 false alarms in the preceding 12-month period;

(b) \$75, if the location has had more than 5 but less than 8 false alarms in the preceding 12-month period; or

(c) \$100, if the location has had eight or more false alarms in the preceding 12-month period.

[Source Law: §214.197, Local Government Code]

3. Additional Requirements

(a) The owner of an alarm system within the City which is designed to signal or cause notification to the City's Police must provide the Police Department with the names and telephone numbers of at least two (2) contact persons who may be contacted regarding an alarm activation, and the telephone number of the security company monitoring the alarm, if any.

(b) At least one of the persons identified in §3(a) must come to the location within one (1) hour of being notified to grant the police access to the premises and deactivate the alarm if necessary.

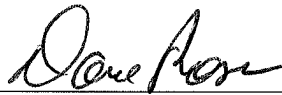
(c) No automatic dialing of the police department or law enforcement dispatching shall be permitted. The security company or other person receiving the signal shall contact the location and contact the owner before contacting the police department or County dispatch.

4. Offense

Violation of the Additional Requirements set forth in Section 3 above is an offense (misdemeanor) punishable by a fine not to exceed \$500.00.

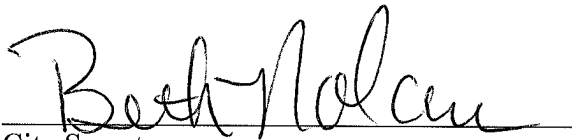
5. Nothing herein shall constitute or be interpreted as a waiver of the City's immunity provided by law.

ENACTED this 2nd day of June, 2008.



\_\_\_\_\_  
Mayor

ATTEST:



\_\_\_\_\_  
City Secretary