

AN ORDINANCE ESTABLISHING REGULATIONS GOVERNING BURGLAR, FIRE, INTRUSION, AND EMERGENCY ALARM SYSTEMS DESIGNED TO SUMMONS EMERGENCY RESPONSE SERVICES AND PROVIDING FOR PENALTIES FOR VIOLATIONS OF SAID ORDINANCE.

I. SCOPE

The scope of this ordinance shall be to establish minimum standards as required by the S. C. Department of Labor Licensing and Regulation - S. C. Contractors Licensing Board, and regulations governing burglar, fire, intrusion, and emergency alarm systems that are designed to summon Emergency Response Services through notification of the Communications Division of the City/County Law Enforcement Center.

II. PURPOSE

The purposes of this ordinance are:

- A. To reduce or eliminate Emergency Response Services from being needlessly or intentionally called into action by users of alarm signaling equipment where no emergency or need exists.
- B. To establish general regulations governing alarm systems, alarm users, alarm companies and personnel engaged in the sale, service or installation of alarm equipment where such equipment may cause Emergency Response Services of the City or County of Sumter, S. C. to be called into action.
- C. To establish accountability by defining causes of false alarms
 - 1. Human/user error causing alarms
 - 2. Intentional false alarms
 - 3. Equipment malfunction causing alarms
 - 4. Unexplained false alarms

III. GENERAL REGULATIONS

~~A.~~ REGISTRATION AND PERMIT REQUIRED. All present and future owners/users of alarm equipment capable of producing a signal designed to notify, or cause to be notified, Emergency Response Personnel (City or County) shall register with the Business License Department of the City and County of Sumter.

- ~~1.~~ All owners/users of alarm devices or systems shall register with Communications by completing the registration form available at the Business License Department of the City and County of Sumter and paying a ten dollar (\$10.00) registration fee. A separate registration must be completed for each alarm system location or one can be mailed to you by notifying the Business License Department at 436-2543 or 436-2544.
- 2. Upon acceptance and approval of application by the Business License Department, an "Alarm User Number" will be issued. This number will enable dispatchers of the Communications Division to provide improved information to responding services, as

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well as track actual and false alarms for individual alarm users, and determine the necessity of fines. Upon completion of the form, the Business License Department will forward it to the City County Law Enforcement Center.

3. Alarm users currently operating alarm equipment, but not registered, should do so as soon as possible. A "Grace Period" will be extended to current users for a period not to exceed 12 months from the date of this ordinance, unless notified, and then registration would be required within 30 days. To register, call or contact the Business License Department Supervisor for the necessary instructions and application (436-2543 or 436-2544).
- B. ALARM MONITORING. The primary purpose of the Communications Division of the Sumter City/County LEC is to communicate by telephone with individuals requesting emergency assistance and dispatch the appropriate Emergency Response Personnel. The secondary purpose is to direct all other telephone communications to the proper individual or agency within the LEC or responding agency outside the LEC. Our telephone lines are the vital link to the community we serve. Therefore:
1. The Communications Division of the LEC will in no way directly monitor alarm signals from "Alarm Signaling Devices" or "Alarm Systems" (whether the signal is "voltage reversal", "radio signals", "audio signals" or "digital signals"). No alarm system or alarm signaling device shall be "programmed" or made to, in any way, contact directly the LEC through any of its telephone lines designated for the primary and secondary purposes stated above in B.
 2. "Alarm System" and/or "Alarm Signaling Devices" shall be programmed to directly communicate "alarm signals" to "Central Monitoring Stations", "Answering Services", or other "Responsible Party or Parties", who, upon receipt of "alarm signal", may notify the Communication Division of the LEC through "911" or 436-2774 - 436-2790, as applicable, if reporting is desired.
 3. This section is not designed to suggest, inhibit, prevent or promote any method of reporting "alarm signals". The purpose of this section is to "direct" the "alarm monitoring" to a responsible company, agency or person who can communicate the need for "Emergency Services" to the LEC. This is in keeping with our previous decision not to "directly monitor alarm signals", outlined in a previous decision dated July 7, 1988.
- C. REGISTRATION OF ALARM COMPANIES AND DEALERS
1. All alarm companies, independent dealers, or individuals engaged in the sale, service, or installation of alarm systems or alarm signaling devices shall obtain and maintain a valid business license to conduct business in the City and County of Sumter.
 2. A copy of this ordinance will be given to each Company that registers to conduct business in the City and County of Sumter.

IV. FALSE ALARMS

- A. FALSE ALARM. For the purpose of the enforcement of this ordinance, a "false alarm" shall be defined as any signal generated from an "alarm system" or "alarm signaling device" (local or reported) that has caused an "Emergency Response" to be initiated where no valid

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“emergency” or need exists. Emergency Response Personnel will classify all alarms found to be false. “False alarms” will be classified as follows:

1. **“Human/user Error”** - When the alarm system or signaling device was activated due to improper interaction with the user(s), the alarm will be classified as “Human/user Error”. The majority of these alarms occur during openings and closings, leaving home or returning home. Carelessness, unfamiliarity, and lack of training are the major causes of this class of alarm. Poorly designed or installed systems are another.
2. **“Intentional”** - When the user of the alarm system or signaling device intentionally activates the system where no valid emergency situation or need is present, the alarm will be classified as “intentional”. This is a most serious abuse of Emergency Response Services.
3. **“Equipment Malfunction”** – When an alarm system or signaling device initiates a signal for Emergency response without any interaction from the user, but can be attributed to equipment causes, the alarm will be classified as “equipment malfunction”. It is the responsibility of the alarm user to insure the equipment used to summon “Emergency Services” is properly repaired, maintained and does not send signals that are the product of malfunctioning equipment.
4. **“Unexplained”** – When the cause of an alarm signal cannot be determined, and there is no “evidence” of the cause of the alarm signal generated, the alarm shall be classified as “unexplained”. This classification is not intended to relieve the responsibility of the user or the effort to properly classify the cause accurately, but to track false alarms that may actually fall within this category.
5. **“Acts of God”** – When the cause of an alarm signal can be directly or indirectly identified as caused by “Acts of God” there shall be no violation of this section attributed to the user or the alarm company. All users and companies are encouraged to use the latest technology in surge protection to reduce or eliminate as many of these alarms as possible.

V. ENFORCEMENT

A. It is not the intent of this ordinance to address users who have or may install and responsibly operate equipment designed to detect or report fire, theft, criminal activity or other emergency calls for service. It is the intent of this ordinance to identify the major causes of false alarms and assign reasonable accountability for needless calls for “Emergency Response”. Therefore, the following is a list of the “Penalties” for “Violations” of each section.

1. Section III. A. (1). FAILURE TO PROPERLY REGISTER ALARM.

It shall be a violation of this ordinance to install or operate an alarm system or signaling device designed or intended to summon “Emergency Response Personnel” and fail to register same with the Sumter City/County Business License Department. The fine shall not be applied until alarm user is notified and compliance has not been completed within 30 days. The fine for violation of this Section is to be \$25.00 per alarm after the 30-day period.

2. Section III. B. (1) IMPROPER REPORTING TO LEC COMMUNICATION LINES.

It shall be a violation of this ordinance to program or cause an “alarm signal” to report (whether line reversal, digital, or audio) to the “911” or any communication lines at the LEC. The LEC will not directly “monitor” alarm signals of any kind. The fine for violation of this Section shall be

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First Offense	\$ 25.00.
Second Offense	\$ 50.00
Third Offense	\$ 75.00
Fourth Offense	\$100.00

3. Section III. C. (1) FAILURE TO REGISTER AS ALARM COMPANY OR DEALER.
It shall be a violation of this ordinance to engage in the sale, service or installation of alarm equipment or alarm signaling devices designed to initiate or cause to initiate “Emergency Response Services” unless properly registered to do so with the the Sumter City/County Business License Department. The fine for violation of this section is to be \$100.00 for the first offense, \$200.00 for the second offense, and \$300.00 for the third and subsequent offenses.
4. Section III. C. (2) FAILURE TO OBTAIN A VALID BUSINESS LICENSE.
Violation of this section is already a violation of City/County code. Knowledge of this violation shall be delivered to appropriate City/County Officials for enforcement.
5. Section IV. A. (1) EXCESSIVE “HUMAN/USER” INITIATED ALARMS.
It shall be a violation of this ordinance to initiate, or cause to initiate, more than four (4) “false alarms” within a 30 day period, or more than twelve (12) “false alarms” within a 12 month period which have been classified as “human/user error”. The fines for violation of this section are as follows: first four (4) alarms beyond those allowed in each period are \$25.00 each. The fifth through the eighth, beyond those allowed in each period, are \$50.00 each. After eight (8) alarms, beyond those allowed in each period, see Section on “Non-Response Policy”.
6. Section IV. A. (2) INTENTIONAL ALARM ACTIVATION.
It shall be a violation of this ordinance to intentionally activate or cause to be activated an alarm signal which initiates “Emergency Response Services” where no valid emergency or need for Emergency Services exists. The fine for violation of this section is \$100.00 per offense. (See section on “Non-Response Policy”)
7. Section IV. A. (3) EXCESSIVE ALARMS DUE TO EQUIPMENT MALFUNCTION.
It shall be a violation of this ordinance to allow the continued operation of alarm systems or alarm signaling equipment that produce more than four (4) false alarms within a 30 day period, or more than twelve (12) false alarms within a calendar year which have been classified as caused by “Equipment Malfunction”. The fines for violation of this section are as follows: the first four (4) alarms beyond those allowed in each period are \$25.00 each; the fifth through the eighth are \$50.00 each. After eight (8) alarms beyond those allowed in each period, see “Non-Response Policy”.
8. Section IV. A. (4) EXCESSIVE UNEXPLAINED ALARMS.
It shall be a violation of this ordinance to exceed more than twenty-four (24) cumulative false alarms during any one calendar period of any combination of “unexplained”, “equipment malfunction”, “intentional”, or “human/user error”. The fines for violation of this section are as follows: for the first four (4) alarms beyond 24, \$25.00 each; for the fifth through the eighth beyond 24, \$50.00 each. After eight (8) beyond the 24th false alarm, see “Non-Response Policy”.

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VI. NON-RESPONSE POLICY/APEAL

A. FLAGRANT, EXCESSIVE, AND INTENTIONAL ALARMS

1. In the event that an alarm user, alarm system, or signaling device is identified as causing flagrant, excessive, or intentional false alarms, it shall be at the discretion of the Sheriff, ~~or~~ Chief of Police, Fire Chief, or designee to notify said user to render inoperable said system or device until such time as evidence can be given that the situation causing false alarms has been eliminated. Failure to comply with this notification will result in a certified letter of intent to disregard any future calls for "Emergency Response Services" generated by said system.
2. It shall be a violation of Section VI. A. (1) to initiate or cause to initiate or allow initiating a call for "Emergency Response Services" after being notified by letter to cease. The fine for violation of this section is \$200 per alarm response.

VII. LIABILITY

The City and County of Sumter specifically invites the protection of the South Carolina Tort Claim Act. The City and County of Sumter, its agencies officers, employees, or agents together with any persons following its instructions are not liable for civil or criminal damages as a result of an act or omission under this ordinance (Reference: South Carolina Tort Claim Act Section 15-78-20. Section 15-78-60).

VIII. SEPARABILITY

A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions.

THE COUNTY COUNCIL FOR SUMTER COUNTY SOUTH CAROLINA

BY: _____
Naomi D. Sanders, Chairwoman

ATTEST:

BY: _____
Mary W. Blanding, Clerk to County Council

First Reading: _____ **2003**

Second Reading: _____ **2003**

Public Hearing: _____ **2003**

Third Reading and Adoption: _____ **2003**