

City of Tamarac – Code of Ordinance – Alarm Systems

Chapter 12 - LICENSES AND BUSINESS REGULATIONS

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ARTICLE IV. - ALARM SYSTEMS

Sec. 12-116. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Burglar alarm system means a mechanical, optical, electronic or electrical device designed to detect an unauthorized entry into a building, structure, facility or enclosed area, and which emits a sound or transmits a signal when activated. Excluded from the definition of burglar alarm system are devices which are not designed or used to register alarms that are audible, visible or perceptible outside of the protected building, structure, facility or enclosed area.

False alarm means a signal emitted by a burglar alarm system other than one resulting from illegal acts or entry. Signals emitted due to any of the following shall not be considered false alarms for purposes of section 12-122:

- 1) Signals activated by persons having reasonable cause to suspect an illegal act or entry;
- 2) Signals resulting from repair work or system test, where the appropriate city department has previously been notified of such repair work or test;
- 3) Signals activated by an individual not subject to the control of the person owning, controlling or occupying the premises.

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(Ord. No. 89-4, § 3, 1-25-89)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 12-117. - Limitation of liability.

Neither the city, the city commission either individually or as a group, the city manager, the police chief, the city police department, nor any of the officers and agents of the city shall be under any obligation or duty to an alarm user or to any other person hereunder by reason of this article. The city specifically disclaims liability for any damages which may be caused by failure to respond to an alarm.

(Ord. No. 89-4, § 10, 1-25-89)

Sec. 12-118. - Enforcement.

Enforcement of the provisions of this article shall be the responsibility of the city. The city manager or his designee is appointed as the hearing officer for purposes of appeal of city manager or his designee is appointed as the hearing officer for purposes of appeal of the penalties imposed by this article. Minutes shall be kept of all hearings and all testimony shall be under oath. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Final decisions of the hearing officer shall include findings of fact, conclusion of law and shall be in writing.

Appeal of final orders of the hearing officer shall be to the circuit court.

(Ord. No. 89-4, § 9, 1-25-89)

Sec. 12-119. - Registration of system.

Every person who installs, maintains or operates a burglar alarm system shall, within thirty (30) days of installing such system or, in the case of existing systems, within thirty (30) days of January 25, 1989, register the system with the police department of the city. Registration shall be on a form provided by the appropriate department and shall include provision for identification of the occupant of the premises and one (1) or more persons who are authorized to enter the premises with their respective business and residence addresses and telephone numbers. It shall be the duty of every person registering a burglar alarm to notify the police department in writing of any change in the information contained on the registration form.

(Ord. No. 89-4, § 4, 1-25-89)

Sec. 12-120. - Automatic deactivation of alarms; prohibited alarm systems.

- a) Every burglar alarm system installed, maintained or operated in the city shall be designed to deactivate automatically within thirty (30) minutes of activation.
- b) All burglar alarm systems shall have a minimum of thirty (30) seconds' delay before the alarm reporting device is activated, except for panic or emergency alarms.
- c) Audible alarm systems shall not sound during the interval between the entry of an authorized person and the turning off of the system.

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- d) If panic or emergency switches are used, they must be of the recessed button type and must require two (2) buttons to be pressed at the same time in order to activate the system.

(Ord. No. 89-4, § 5, 1-25-89)

Sec. 12-121. - Report of response.

- a) *Inspection of premises.* Whenever police respond to a burglar alarm, a police officer on the scene shall inspect the area and make a report thereof.
- b) *Notice of false alarm.* If the report concludes that the department was caused to respond to a false alarm, then a notice thereof shall be mailed by certified mail to the person operating or occupying the premises.
- c) *Notice contents.* The notice shall state that each false alarm within a twelve-month period beginning after the first three (3) notices by the police department is a violation of the Code of Ordinances of the city and shall contain a copy of section 12-118.

(Ord. No. 89-4, § 6, 1-25-89)

Sec. 12-122. - Violations of article enumerated.

- a) Failure to register an alarm system or to comply otherwise with sections 12-119, 12-120 and 12-121 shall constitute a violation punishable as provided in this article.
- b) Each false alarm in excess of three (3) emitted by a burglar alarm system within a twelve-month period shall constitute a violation of this article and subject the individual owning, controlling or occupying the premises to the penalties provided for in this article.

(Ord. No. 89-4, § 7, 1-25-89)

Sec. 12-123. - Penalties for violations of article.

- a) *Fines.* The fines for violation of this article shall be as follows:
 - 1) For the first violation within any twelve-month period, the fine is twenty-five dollars (\$25.00).
 - 2) For the second violation within any twelve-month period, the fine is fifty dollars (\$50.00).
 - 3) For the third violation within any twelve-month period, the fine is one hundred dollars (\$100.00). For the fourth and any subsequent violations within any twelve-month period, the fine is two hundred dollars (\$200.00).

(Ord. No. 89-4, § 8, 1-25-89)

Secs. 12-124—12-145. - Reserved.