

**ORDINANCE**

**AN ORDINANCE TO PROVIDE FOR THE USE OF SECURITY AND FIRE ALARM SYSTEMS IN NEWTON COUNTY, GEORGIA; TO PROHIBIT INTENTIONAL FALSE ALARMS; TO PROHIBIT EXCESSIVE FALSE ALARMS; TO PROVIDE FOR PENALTIES FOR VIOLATIONS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

WHEREAS, it is has been determined that excessive alarm calls within the unincorporated area of Newton County result in an inefficient use of emergency services resources, reduces faith in security alarm signals, and promotes complacency in sheriff and fire investigation of alarm signals which creates a general public safety hazard detrimental to the protection and to the health, safety and welfare of citizens, and the emergency services personnel responsible for the investigation of alarm signals.

**BE IT ORDAINED BY THE NEWTON COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:**

**SECTION I - Title**

This Ordinance shall be entitled the "Security and Fire Alarm System Ordinance of Newton County, Georgia."

**SECTION II - Definitions**

For the purposes of this Ordinance, the following words and phrases shall have the meanings given:

(a) Alarm Company: Any corporation, partnership, business or individual engaged in the business of installing, maintaining, altering, servicing, or monitoring of an alarm system or which responds to such alarm systems.

(b) Alarm Response: Any response to a premise by Sheriff's Department or Fire Department personnel as a result of an alarm signal.

(c) Alarm Signal: The activation of an alarm system resulting in a request for an alarm response regardless of cause.

(d) Alarm System: Any assembly of equipment, mechanical or electrical, designed to signal an occurrence of robbery, burglary, unauthorized entry, attempted entry, fire, smoke, heat or extinguishing agent/discharge application, or any other circumstance requiring urgent attention and to which Sheriff's Department or Fire Department personnel are expected to respond.

(e) Alarm User: Any person, firm, partnership, association, corporation, company or organization of any kind, including the owner or occupant of a protected premise, who purchases, leases, contracts for, or otherwise obtains an alarm system, or the servicing, maintenance or monitoring of an alarm system from an alarm company.

(f) Automatic Dialing Device: A device which is interconnected to a telephone line and is programmed to a predetermined telephone number and which automatically transmits by recorded voice message or signal the existence of a hazard requiring urgent attention and to which Sheriff's Department or Fire Department personnel are expected to respond.

(g) County: Newton County, Georgia

(h) False Alarms: Any signal of an occurrence of robbery, unauthorized entry, heat, smoke or extinguishing agent/discharge application, or any other circumstance to which Sheriff's Department or Fire Department personnel are expected to respond when there exists no actual or threatened criminal activity or emergency.

(i) False Alarm Response: An alarm response to a false alarm.

(j) Fire Department: The Newton County Fire Department or any of the Volunteer Fire Departments whose service area includes unincorporated portions of the County.

(k) Sheriff's Department: Newton County Sheriff's Department

(l) Person: Shall mean any individual, group of persons, firm, partnership, association of any kind, company or corporation.

(m) Protected Premise: Shall mean the premises upon which an alarm system has been placed for the purpose of detecting a hazard.

### **SECTION III - Administration and Enforcement**

The Sheriff's Department and Fire Department respectively shall be responsible for the administration and enforcement of this Ordinance.

### **SECTION IV - Alarms System Requirements**

(a) Instructions to Alarm Users from Alarm Companies. Any alarm company involved with the installation of any type of alarm system shall furnish the alarm user with instructions that provide information to allow the alarm user to operate the alarm system properly and to obtain service for the alarm system at any time.

(b) Automatic Dialing Device Restrictions. It shall be unlawful for any person to install, operate or maintain any automated dialing device which is programmed to transmit a prerecorded message or code signal for response from Sheriff's Department or Fire Department personnel.

(c) Required Equipment.

(1) Alarm users shall use only alarm system equipment that meets the minimum alarm device standards of Underwriters Laboratories and/or the National Fire Protection Association (NFPA).

(2) An alarm system operated within the unincorporated portion of the County shall be equipped in such a manner so as to prevent false alarms due to interruptions in electrical power.

(3) Any alarm system within the unincorporated limits of the County which is equipped with a horn, bell, siren or other noise device audible beyond the confines of the premise shall be adjusted in such a manner that it will not sound for longer than fifteen (15) minutes before resetting and silencing itself.

(d) Alarm users shall come into compliance with this ordinance within one hundred eighty (180) days after the effective date of this Ordinance.

#### **SECTION V - Intentional False Alarms Prohibited.**

It shall be unlawful for any person to knowingly and willfully activate a security and/or fire alarm system to summon Sheriff's Department or Fire Department personnel when there is no actual or threatened criminal activity or emergency.

#### **SECTION VI - Excessive False Alarm Responses Prohibited.**

(a) On and after thirty (30) days from the installation date of an alarm system, it shall be unlawful for any alarm user in the County to allow an excessive number of false alarm responses to occur at a protected premise for which the alarm user is responsible.

(b) More than three (3) false alarm responses to a protected premise in any twelve (12) consecutive months is deemed to be an excessive number for response by the Sheriff's Department and shall be a violation of this Ordinance.

(c) More than three (3) false alarm responses to a protected premise in any twelve (12) consecutive months is deemed to be an excessive number for response by the Fire Department and shall be a violation of this Ordinance.

(d) Any alarm response, which results from an alarm signal initiated by an alarm system, which is not in compliance with this Section, shall be deemed to be a false alarm response and shall be a violation of this Ordinance.

(e) Sheriff's Department and Fire Department personnel assigned false alarm responses shall, whenever possible, leave written notice for the alarm user which provides the following information:

- (1) Date and time of false alarm response;
- (2) Officer/firefighter's name and business telephone number;
- (3) Alarm/case number; and
- (4) Brief synopsis of this Ordinance (printed brochure).

In the event that a alarm user is absent, delivery of said false alarm response notice to the alarm user shall be make by personal service or by certified mail will be utilized to notify the property owner. A "carbonless" or tear-away copy of such information will be retained by the appropriate agency for administrative filing.

**SECTION VII - Recording alarm Responses**

The Sheriff's Department and the Fire Department will be responsible for the recording of all alarms responses in the unincorporated portions of Newton County. This information shall be electronically or otherwise stored so that alarm responses and keyholder information can be updated.

**SECTION VIII - Penalties for Violations.**

(a) Administrative fines, in accordance with the following fee schedule, shall be assessed against the alarm user for more than three (3) false alarm responses to a protected premises by Sheriff's Department personnel in any twelve (12) consecutive month period:

**Administrative Fine Schedule for False Alarm Responses  
(Sheriff's Department)**

Fourth response .....	\$ 25.00
Fifth response .....	\$ 50.00
Sixth response .....	\$ 75.00
Seventh response .....	\$100.00
Eighth response .....	\$125.00
Responses in excess of eight, each .....	\$150.00

(b) Administrative fines, in accordance with the following fee schedule, shall be assessed against the alarm user for more than three (3) false alarm responses to a protected premises by Fire Department personnel in any twelve (12) consecutive month period:

**Administrative Fine Schedule for False Alarms Responses  
(Fire Department)**

Fourth response .....	\$100.00
Fifth response .....	\$150.00
Sixth response .....	\$200.00
Seventh response .....	\$300.00
Eighth response .....	\$400.00
Responses in excess of eight, each .....	\$500.00

(c) To ensure that the assessed amounts are representative of costs incurred by the County to provide alarm responses and to administer this Ordinance, the amounts contained in the administrative fine schedules shall be subject to all associated court costs customarily included by Magistrate Court of Newton County or as mandated by state law.

(d) In addition to the administrative fines outlined above, violations of this Ordinance may subject the alarm user to an order of the Magistrate Court Judge requiring that the alarm system be disconnected.

(e) Unless otherwise provided in this Ordinance, any person, alarm user or alarm company who violates any provision of this Ordinance or any rules, orders or regulations made pursuant to this Ordinance, shall, upon conviction thereof, be punished by a monetary fine not to exceed One Thousand Dollars (\$1,000.00) or sixty (60) days imprisonment, or both.

### SECTION IX - Repeal of Conflicting Ordinances

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

### SECTION X - Severability

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

### SECTION XI - Effective Date

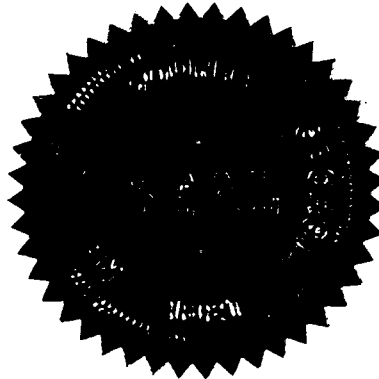
The effective date of this Ordinance shall be the date of approval by the Newton County Board of Commissioners.

SO ORDAINED this 7<sup>th</sup> day of September, 2001.

NEWTON COUNTY BOARD OF COMMISSIONERS

By: Aaron Varner  
Aaron Varner, Chairman

Attest: Jackie Smith  
Jackie Smith, County Clerk



# NEWTON COUNTY BOARD OF COMMISSIONERS

## MINUTES

September 4, 2001

### **NO. O-090401a FALSE ALARM ORDINANCE**

Chairman introduced Attorney Scott Cole who presented False Alarm Ordinance for consideration. He said that there were 3 major changes requested by board. 1. Number of false alarms for Sheriff Dept and Fire Dept would be 3. 2. Mr. Cole contacted the Sheriff Dept and Fire Dept who agreed that administratively it would more efficient for them to use a 12 consecutive month calendar for false alarms. 3. The dollar amount for each excessive false alarm above 3 permitted false alarms, both the sheriff department and the fire department concurred with figures presented in draft BOC reviewed.

There were no questions, however Commissioner Dimsdale commented there has been numerous work sessions regarding this, that BOC was trying to give some relief to the Sheriff Dept & Fire Dept in this area. He stated this is not just a nuisance, but a safety factor as well and duly made motion to adopt.

**Motion:** To approve Ordinance No. O-090401a False Alarm Ordinance for Newton County.

**Proposed by:** Commissioner Ronnie Dimsdale, District Two

**Second:** Commissioner Billy Strickland, District Five

**Motion carried unanimously**

**Note:** The original ordinance is contained in file number O-090401a, incorporated herein by reference and expressly made a part of these minutes.