

## ORDINANCE NO. 15

### AN ORDINANCE PROVIDING FOR THE INSTALLATION OF OPERABLE ALARM SYSTEMS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Be It Ordained by the Board of Supervisors of Adair County, Iowa:

SECTION 1. PURPOSE: The purpose of this ordinance is to provide regulations for the installations of operable alarm systems and the means those systems may employ for contacting law enforcement agencies or fire departments.

SECTION 2. FACTS FOUND: The Board of Supervisors of Adair County, Iowa hereby make the following findings:

1. Other counties in the area have had problems with alarm systems tying up the emergency 911 telephone lines to the law enforcement agencies and fire departments in their counties. In order to avoid this situation, it would be in the best interest of the citizens of Adair County to establish regulations for the installation of operable alarm systems and the means which those systems may employ for contacting law enforcement agencies or fire departments in Adair County.

SECTION 3. DEFINITIONS: For use in this Ordinance the following terms are defined:

- A. Alarm: An alarm is an electromechanical system designed to provide a signal upon detection of smoke, fire, unlawful intrusion, or other unusual condition, or to be activated by a person to report a crime or other unusual circumstance.
- B. Automatic Dialer: An automatic dialer is a device connected to a telephone line providing for the transmission of preprogrammed signals of alarm to another location by calling a telephone number.
- C. Direct Alarm: A direct alarm provides a signal to the law enforcement communications center.
- D. Alarm System: An alarm system is any alarm, automatic dialer or direct alarm as defined herein.
- E. Person: A person is any individual, partnership, corporation, or other entity.
- F. Subscriber: A subscriber is any person who purchases, leases, contracts for, or otherwise obtains an alarm system for premises or persons under the person's control.
- G. PSAP: Public safety Answering Point

SECTION 4. ALARM SYSTEMS PERMITTED:

- A. Direct alarm systems and automatic dialer alarm systems may be installed and activated after first notifying the Adair County Sheriff of the following information:
  - (1) Location of the alarmed premises
  - (2) Specific areas on the premises from which a signal may originate
  - (3) Names, addresses, and phone numbers of persons responsible for the premises
- B. Alarm systems with a direct alarm or an automatic dialing device may be programmed to call a law enforcement agency or fire department by dialing a regular seven (7) digit or ten

(10) digit telephone numbers for the law enforcement agency or fire department, which shall be provided by the Adair County Sheriff or local fire department.

SECTION 5. PROHIBITED ACTS: No person shall install, cause to be installed, or have on that person's premises an operable alarm system which has an automatic dialing device or direct alarm programmed to call a law enforcement agency or fire department by dialing 9-1-1.

SECTION 6. PENALTIES:

- A. A first violation of SECTION 5 will result in the PSAP manager contacting the person(s) responsible for the premises where the alarm system is installed to inform them of the violation to prevent further occurrences. Said notice shall be written and shall be delivered by ordinary mail.
- B. A second or subsequent violation of the provisions of SECTION 5 is a simple misdemeanor punishable under the provisions as set forth in Chapter 903.1 (a), The Code of Iowa, as amended.

SECTION 7. REPEALER: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. However, such repeal shall be only to the extent of such conflict.

SECTION 8. SEVERABILITY CLAUSE: If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 9. EFFECTIVE DATE: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 28<sup>TH</sup> DAY OF OCTOBER, 1998.

Adair County, Iowa

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Chariman, Board of Supervisors

ATTEST:

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Jenice Wallace, Auditor