

# LAPORTE COUNTY ORDINANCE 96-19

## ALARM ORDINANCE

WHEREAS, on July 22, 1996, a special committee formed to investigate the alarm systems feeding into the governmental complex reported to the Board of Commissioners the following recommendations:

- A. That all private alarm systems, except those required by Federal law to be monitored by government, be removed on or before December 1, 1996;
- B. That an ordinance be implemented with the purpose of regulating alarms so as to reduce the number of false alarms and to eliminate auto-dialers; and

WHEREAS, the Board of Commissioners accepted the recommendation of the special committee setting January 1, 1997, as the date for the removal of all private alarm systems.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. Definitions. For the purpose of this ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- a. **ALARM SYSTEM** means any device, silent or audible, which is designed to be actuated manually or automatically upon the detection of an unauthorized entry, intrusion, fire, or other emergency, in or on any building, structure, facility, or premises, which when activated leads to notifications being made directly or indirectly to the Public Safety Communications Center or to any agency for which the Public Safety Communications Center serves as dispatcher.

An alarm system shall not include:

- (1) An alarm system installed on a motor vehicle; provided, however, that such an alarm system shall be required to comply with the requirements contained in Section 3 below.
  - (2) A medical alarm system.
  - (3) An alarm system installed upon premises occupied by the United States, the State of Indiana, or any political subdivision thereof.
- b. **AUTOMATIC TELEPHONE DIALING DEVICE** means any device connected to an alarm system which when activated automatically dials a predetermined telephone number and sends a prerecorded message or coded signal.
  - c. **KNOX-BOX TYPE SYSTEM** means an alarm system that as a standard feature provides a fire proof safe that is installed outside of a building, structure, or other facility and which permits the responding agency to have access to the fire proof safe which contains information about the facility, its contents, and the alarm

system.

- d. **PERSON** means and includes individuals, firms, corporations, associations, partnerships, consortiums, joint ventures, trusts, estates, and any other legal entity, group or organization.
- e. **FALSE ALARMS** means any signal request or similar event, the purpose of which is to summon the Police or Fire Department assistance, but which is not in response to actual or threatened emergency or criminal activity. **"False Alarms"** include any communication, either directly or indirectly, to the Police or Fire Department either by a central station, intermediary, or signal device, which is in response to a signal or warning issued intentionally or accidentally; negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning, or improperly installed or maintained equipment; and signals which are purposely, but improperly, activated to alert or summon the Police or Fire Department. **"False Alarm"** shall not include signals activated by unusually severe weather conditions or other natural causes.

Section 2. Removal of Alarm Monitoring Systems. That all personal and private alarm monitoring systems, except those mandated to be monitored by government under Federal law, shall be removed from all LaPorte County facilities on or before January 1, 1997.

Section 3. Automatic Telephone Dialing Devices Prohibited.

- (a) It shall be unlawful to use or install or permit the use or installation of any automatic telephone dialing device which is programmed to dial 911, the LaPorte County Sheriff's Communications Center or any agency for which the LaPorte County Communications Center serves as dispatcher.
- (b) Any existing automatic telephone dialing device must be disconnected or programmed to any other consenting party within thirty (30) days after the effective date of this Ordinance.
- (c) The Director of LaPorte County's E911 may waive the restrictions in subsection (a) above and permit an automatic telephone dialing device on alarm systems that have a Knox-Box type. If a Knox-Box type system is approved by the Director and installed, the automatic telephone dialing device must be programmed to dial 219-362-7011. No such system shall be programmed to dial 911.
- (d) Any person violating this Section of the Ordinance shall be subject to a fine of \$500.00 for each incident in which the automatic telephone dialing device dials 911 or the LaPorte County Public Safety Communications Center.

Section 4. False Alarms - Notice of Fines.

- (a) Any alarm user who has false alarms on more than four occasions in any 12-month period shall be fined according to the following table for each false alarm in excess of four occurring within a 12-month period.

Number of False Alarms

Fine Per Alarm

1 through 4	\$ none
5 and 6	25
7 and 8	50
9 and 10	75
11 and 12	100
13 and 14	150
15 and more	200

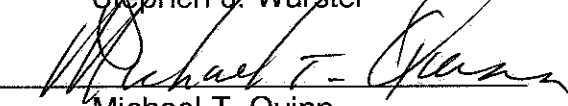
- (b) A fine shall be due and payable by the alarm user within 10 days after written notice from the LaPorte County Sheriff of the violation. In the event that such alarm user does not pay his fine as assessed, the County may also take appropriate legal action to enforce the collection of said fine and said alarm user shall be liable to the County for all court costs and attorney's fees necessary to collect said fines. In addition thereto, the County shall be permitted to seek injunctive relief.
- (c) All fines shall be payable to the County of LaPorte and fines collected shall be deposited into the County's general fund.
- (d) Each provision of this Ordinance shall be construed as separate to the end that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.

Section 5. Effective Date. This Ordinance shall take effect on January 1, 1997.

Dated this 2<sup>nd</sup> day of December, 1996.

THE BOARD OF COMMISSIONERS OF  
THE COUNTY OF LAPORTE, STATE OF INDIANA

  
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Stephen J. Wurster

  
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Michael T. Quinn

  
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Richard J. Kruse

ATTEST:

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Michael R. Schultz, Auditor