

ARTICLE III. - EMERGENCY ALARMS AND REPORTING OF EMERGENCIES ^[39]

⁽³⁹⁾ **Cross reference**— Businesses, ch. 18; emergency services, ch. 34.

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Sec. 54-61. - 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:

Act of God. Any unusual, extraordinary, sudden and/or unexpected manifestation of the forces of nature, sustained extensive power failure, or other incidents that cannot be prevented or mitigated by reasonable human care, skill and foresight. Such manifestations include but are not limited to tornadoes, wind storms, hail storms, hurricane, earthquake, sustained extensive power failure, conflagrations or similar catastrophic events. The police chief, on duty police patrol supervisor, communications center senior dispatcher, or on duty ranking fire rescue supervisor shall determine if such conditions exist.

Alarm system. Any mechanical, electrical or electronic device which is designed for the detection of intrusion into any structure, building, or vehicle, for the detection of fire, sprinkler activation, water flow, toxic gases, carbon monoxide or smoke, or is utilized to summon aid from the city or any agency, or entity, that is dispatched through the Dothan Communications Center or dispatched through any city agency; or any device which transmits any alarm signal to any person who may notify the city, or prompts the transmission of a request for aid of any type by an intermediary, is considered an alarm within this section. This includes any systems whether manually, mechanically, electrically or electronically activated. This shall include any device which sounds a visual and/or audible signal that is able to be heard or seen from a distance of more than 50 feet from the structure or location of the alarm including vehicles. No "tape dial systems" or systems that directly dial or contact the Dothan Communications Center via voice telephone or any city department will be allowed to operate after January 1, 2002. Alarm systems installed and maintained by a resident in a structure zoned for residential occupancy, and the alarm is not connected to the City of Dothan, any city department or any central monitoring station, and only sounds an audible and/or visual signal not audible for more than 50 feet are exempt under from the requirements of obtaining a permit as long as such systems are approved as noted below in section 54-62. All other sections of this article are applicable to such residential systems.

False alarm. Activation of an alarm system that necessitates the response of the police department, fire rescue department, other public safety personnel, or other city employees, whereas no emergency or emergency situation exists. Determination of whether an alarm is a false alarm resides solely with the city.

(Code 1977, § 13-1; Ord. No. 2001-224, § 1, 7-24-01)

Cross reference— Definitions generally, § 1-2.

Sec. 54-62. - Approval of alarm systems.

No person, business or firm shall install or operate any alarm system within the city unless the Underwriters Laboratories, Inc. approves such system, and/or the American National Standards Institute. Such systems must be installed and maintained to the standards cited in the above or to the manufacturers recommendations which ever is the more stringent. Failure to comply with this section shall result in revocation of the alarm permit. Any business, person or firm installing any alarm system other than at their owned residence must be licensed, certified or other wise meet the requirements set forth by this article but also must be comply with Alabama Electronic Security Board of Licensure requirements. All businesses, firms or persons who install alarms must provide a minimum of one hour or more user training to the person or persons who shall operate the alarm system. The permittee or resident shall assure that all persons who operate the alarm system have had user training and are familiar with preventing false alarms.

(Code 1977, § 13-7; Ord. No. 2001-224, § 1, 7-24-01)

Sec. 54-63. - Permit.

(a) *Required.* No person, firm or business shall install any alarm system other than in his/her own residence as cited in section 54-61 unless a permit has been obtained. No person shall install or maintain any alarm system within the city unless the person has a current valid License for the Alabama Electronic Security Board of Licensure and a current valid city business license.

(b) *Application.* No alarm shall be installed without completion and approval of an application as designed and maintained by the police chief. Alarms, whose primary purpose is to detect fire, toxic gases smoke, heat, sprinkler water flow or other methods of fire detection must also have the approval of the fire chief. Alarms that are not permitted, approved, revoked or temporarily suspended may not have police, fire rescue, or other city forces dispatched.

(c) *Fee.* Upon approval of the permit application by the chief of police or his/her designee, and when required the fire chief or his/her designee, the applicant will pay a fee of \$25.00. Government entities and non-profit organizations, as determined by the chief of police, are exempt from the initial permit fee. A check for this amount shall be attached to the application and if the application is approved the check shall be sent to the city clerk. Applications that are disapproved shall be returned by first class mail to the applicant along with the check. The communications center shall periodically audit alarms received and notify the police chief, or fire chief in the case of fire detection alarm systems, of alarms that are not permitted. The police chief shall take steps to notify the resident, owner or other responsible party of the need for compliance with this section. Notification may be by telephone, first class mail, certified mail, or in person. Failure to secure a permit within a 14 day period from the time of notification shall constitute a violation of this section and is a misdemeanor. The police chief may order the alarm revoked and disconnected after mailing a notification by first class mail. Such notice shall include the date of discontinuance and may be included in the failure to secure a permit notification.

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(d) *Transferability.* Permits issued under this section shall not be transferable.

(e) *Revocation.* Permits are a privilege and not a right to the permittee. Failure to comply with any portion of this section shall be grounds for the revocation of the permit by the chief of police including permanent revocation. The communications center shall not acknowledge nor dispatch police, fire rescue or any city resources to any alarm that has been revoked, permanently revoked, or temporarily deactivated. Revocation notices other than temporary deactivations will be made in writing delivered by first class mail or in person by the city.

(f) *Existing alarms.* Existing alarms with prior permits are not exempt from this section or any other portion of this article. Persons or businesses with prior permits issued within five years of the date this article is enacted may register a new permit at no cost. This article requires all alarms to be re-permitted upon its enactment.

(Code 1977, § 13-2; Ord. No. 2001-224, § 1, 7-24-01)

Sec. 54-64. - Notice of person to contact when system is activated and connect to 9-1-1.

(a) The permittee shall provide the Dothan Communications Center a 24-hour contact point for the affected premises when the alarm is activated. Failure to provide this information will result in the denial of the permit or revocation of the permit. The inability to contact persons associated with the facility, structure or business may result in the temporary revocation or permanent revocation of the permit by the chief of police. The permittee will be notified in writing of the revocation, which may be delivered by first class mail or in person by the city. The notice shall include the date the alarm shall be revoked and disconnected.

(b) Any alarm installed upon a fixed structure, or fixed location, with an audible signal capable of being heard for more than 50 feet, and/or visual signal must discontinue these audible and/or visual signals within ten minutes of activation and shall not reactivate for a minimum of 20 minutes. Failure to comply with this section shall be grounds for revocation of the permit and is a misdemeanor. Police officers may issue a summons or make a custodial arrest for such violations.

(c) Vehicles with an audible and/or visual signal must deactivate such signals within five minutes of the activation of the alarm and must not sound again within a 20 minute period following deactivation. Failure to comply with this section shall be grounds for revocation of the permit and is a misdemeanor. Police officers may issue a summons or make a custodial arrest for such violations.

(d) The owner of any property, structure, or vehicle, or the person occupying or operating a business or vehicle with such an alarm system is responsible for complying with all portions of this section.

(e) No alarm may be connected to telephonically dial 9-1-1 under any circumstances. No telephone, electronic device, or any other device may have an automatic feature or device to dial 9-1-1 when the telephone is taken off hook, or to dial 9-1-1 unless there is direct purposeful intentional human action to dial 9-1-1. The communications center may designate a dedicated telephone number for alarms that are activated by purposeful human intervention and may elect only to receive notification of alarms only at the designated dedicated seven-digit telephone number.

(Code 1977, § 13-3; Ord. No. 2001-224, § 1, 7-24-01)

Sec. 54-65. - Deactivation of system.

(a) The police patrol supervisor on duty, the communications center senior dispatcher on duty, the

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chief of police, or the ranking fire rescue official on duty, may order the deactivation of any alarm after two activations in a 12-hour period when such activations reveal no discernible emergency, or the owner, supervisor or other responsible party cannot be contacted following the activation of the alarm, or when such person refuses to respond to the scene at the request of a police officer or fire rescue official. It shall not be the responsibility of the Dothan Communications Center nor the Dothan Police or Fire Rescue Departments to notify the responsible person of the activation of any alarm. The request for the responsible person to be notified or respond is at the discretion of the responding police officer(s), fire rescue official(s), or their supervisor.

(b) The Dothan Communications Center will take steps to notify the owner, supervisor or other responsible person the next regular business day by telephone or other method of the deactivation of the alarm or upon deactivation if such contact can be made by telephone. Reactivation of the alarm shall not occur until contact is made with a responsible party and steps are taken to correct any deficiencies in the system.

(c) Repeated violations of this nature are grounds for the chief of police to revoke the permit for the alarm for no less than six months, or permanently. Repeated violations are two such occurrences necessitating deactivation as described in aforementioned section, in any 12-month period.

(Code 1977, § 13-4; Ord. No. 2001-224, § 1, 7-24-01)

Sec. 54-66. - Test or installation activating system and activating system falsely and tampering with alarms, and failure to train alarm users.

(a) Any installation or testing of the alarm system equipment that may possibly activate a response from the city must be approved in advance by the on duty communications center senior dispatcher. Activations made without prior notifications will be treated as a false alarm as described in subsection (b).

(b) Any person who intentionally, or through their negligence, activates an alarm of any type or nature when no emergency exists is guilty of rendering a false alarm. Rendering a false alarm is a misdemeanor for which a police officer may issue a summons or make a custodial arrest.

(c) Any person who intentionally, negligently or through negligently maintained telephone equipment, telephonically dials, or calls 9-1-1, or makes contact or attempts to make contact in any manner to any telephone line within the Dothan Communications Center or any city telephone, or through their negligence dials 9-1-1, when no emergency exists, is guilty of rendering a false 9-1-1 call. Rendering a false 9-1-1 call is misdemeanor for which police officers may issue a summons or make a custodial arrest.

(d) Any person who willfully tampers with, damages, interferes with any wire, switch, telephone, radio or other equipment or apparatus that is connected to or part of any alarm system is guilty of a misdemeanor.

(e) Any permittee who fails to train or have their alarm installation vendor train personnel, or any alarm vendor who fails to adequately train alarm users as specified within this article, to prevent false activations of the alarm system is guilty of a misdemeanor for which police officers may issue a summons or make a custodial arrest.

(Code 1977, § 13-5; Ord. No. 2001-224, § 1, 7-24-01)

Sec. 54-67. - False alarms.

Under this section, a permittee will be subject to the following false alarm fee and other penalties related thereto:

(a) Each false alarm in excess of one false alarm in a calendar month will be subject to the following fee schedule. False alarms as a result of Acts of God as aforementioned as determined by the city are excluded.

(b) First false alarm (calendar month) No charge

Second false alarm (calendar month) \$50.00

Additional false alarms (calendar month) 50.00

(Code 1977, § 13-6; Ord. No. 2001-224, § 1, 7-24-01)

Sec. 54-68. - Priority of alarms and verified alarms.

(a) A verified alarm for the purposes of this section is considered to be an alarm that allows the operator to directly surveille via real time audio and/or video the alarm site such that a determination can be made immediately if an emergency exists. In many instances multiple alarms are received for police and fire rescue service. Alarms that are directly connected to the communications center computer aided dispatch system and those alarms that are verified through an audio or video surveillance system shall be categorized with a higher priority than other alarms. Determination as to whether an alarm is a verified alarm rests with on duty senior dispatcher of the communications center.

(b) Alarms that are monitored by a central station or off site station that cannot either visually or audibly surveille the alarm site in a real time manner are considered lower priority alarms. Call back to the alarm site via telephone is not considered a verified alarm.

(c) The police chief or his/her designee may designate a specific telephone number for the receipt of alarms and may elect to accept alarms reported via telephone only through this designated telephone number. Reasonable efforts will be made to notify permittees of such changes.

(d) Violation of any portion of this article is a misdemeanor for which any police officer may issue a summons or make a custodial arrest.

(Ord. No. 2001-224, § 1, 7-24-01)