

ORDINANCE 90-3

AN ORDINANCE RELATING TO FALSE ALARMS
OF BURGLARY/ROBBERY SYSTEMS, AND PRESCRIBING
FINES AND PENALTIES WITH RESPECT THERETO

BE IT ORDAINED BY THE CITY OF BELLE MEADE, as follows:

Section 1. Title 10, Chapter 2, of the Belle Meade Code is amended by adding thereto Section 232, to read as follows:

"10-232. False Burglary/Robbery Alarms.

(a) Definitions.

(1) Alarm systems means any mechanical or electrical/electronic or radio controlled device which is designed to be used for the detection of any fire or unauthorized entry into a building or structure, or for alerting others of fire or of the commission of an unlawful act within a building or structure, which emits a sound or transmits a signal or message when activated. Alarm systems include, but are not limited to, direct dial telephone devices, audible alarms and monitored alarms. Excluded from the definition of alarm systems are auxiliary devices installed by telephone companies to protect telephone systems from damage or disruption of service; and self-contained smoke detectors.

(2) False alarm means the activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence or intentional misuse by the owner or lessee of a alarm system or by his employees, servants or agents; or any other activation of the alarm system not caused by a fire or a forced entry or attempted forced entry or robbery or attempted robbery; such terminology does not include alarms caused by acts of nature such as hurricanes, tornadoes, other severe weather conditions, or alarms caused by telephone line trouble, or other alarms caused by utility company personnel, or other conditions which are clearly beyond the control of the alarm user. A maximum of five (5) false burglar alarms; three (3) false robber/panic alarms; and three (3) false fire alarms, will be granted per alarm device within a fiscal permit year. All false subsequent activation will be considered chargeable violations.

(3) Activate means to "set off" an alarm system indicating in any manner an incidence of burglary, robbery,

fire, etc.

(b) Violations.

(1) It shall be a violation of this Ordinance when any Belle Meade Police Department officer responds to a false alarm after the allowable false alarms set out in subsection (a)(2) hereof.

(2) Any person who owns, operates, or leases an alarm system and who shall knowingly and purposefully fail to respond to his premises within one (1) hour after notification by Belle Meade police personnel of alarm activation, whether false or not, shall be deemed to have violated this Ordinance.

(3) Any non-compliance with the requirements of this Ordinance shall constitute a violation and each incidence of non-compliance shall constitute a separate violation, punishable as provided in Belle Meade Ordinance 87-5, Section 5.

(c) Response to False Alarms.

(1) Responsibility for a false alarm shall be borne by the owner or lessee of the alarm system or his/her employee, servant or agent occupying and/or controlling the premises at the time of the occurrence of the false alarm.

(2) A response to an alarm shall result when any Belle Meade police department officer is dispatched to or otherwise learns of the activation of any alarm system. If the user calls or the authorized agent calls the dispatcher back within five minutes of the original call, it will not be considered a false alarm. No violation, fine, or recourse will take place in the above time interval unless the responding Belle Meade officer has already arrived before the second call has been made, to cancel. If Belle Meade police department has not arrived on the scene within 30 minutes of the original notification, it will not be chargeable response or fine of any sort.


Section 2. Effective Date. This Ordinance shall take effect from and after its passage.

Passed on first reading
4/25/90



Mayor T. Scott Fillebrown

Passed on second reading
5/16/90



City Recorder Joan B. Coode

Passed on third reading
6/20/90