
City of Knoxville False Alarm Ordinance

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Sec. 19-110. Title and purpose; limitations.

- (a) The provisions of §§ 19-110—19-119 of this Code shall be known collectively and may be cited as the "false alarm ordinance."
- (b) The purpose of these sections is to prohibit false alarms activated from fire, burglar and robbery alarm systems.

(Ord. No. O-6-07, § 1, 1-30-07)

Sec. 19-111. Definitions.

The following words, terms, and phrases, when used in §§ 19-110—19-117 shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm system means any mechanical or electrical device which is designed to record, view, monitor, protect against, avoid or reduce the probability of personal or property loss or injury resulting from fire, smoke, heat, burglary, theft, shoplifting, pilferage or other losses of that type; monitor, detect or prevent intrusion; or detect and summon aid for other emergencies and require urgent attention to which police and/or fire departments are expected to respond with emergency personnel or equipment. The term "alarm system" shall include automatic and manual hold-up alarm systems, burglar alarm systems, direct dial telephone devices, audible alarms, and proprietor alarms. It shall not include domestic violence alarms, audible vehicle alarms and alarm devices that register no audible, usable or perceptible signal outside of the protected building, facility, or structure, or alarms that do not summon an emergency services response.

Alarm user means the person, firm, partnership, association, corporation, company or organization in control of any building, structure or facility wherein an alarm system is maintained.

Automatic dialing device means a device which is used in connection with an alarm system, as defined herein, and interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit a prerecorded voice message or coded signal indicating a need for emergency response.

False alarm means an alarm signal to which the police and/or fire departments respond with any emergency service personnel or equipment when a situation requiring a response by the police and/or fire departments does not in fact exist, and which signal is caused by the inadvertence, misuse, negligence or intentional act or omission of an alarm company or alarm user, or a malfunction of the alarm. The following shall not be considered false alarms:

- (1) An alarm activated during an alarm system testing or repair procedure, provided the alarm user first notifies and receives permission from the user's alarm monitoring company, or its designee, to test the system.
- (2) Alarms caused by a violent act of nature, including earthquakes and floods, but not including windstorms, thunder or lightning.

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- (3) Alarms caused by an attempted illegal entry of which there is visible evidence or which the police department determines to be the result of an intrusion attempt or alarm tampering.
 - (4) Alarms caused by the testing, repair, or malfunction of electrical utilities' equipment or lines.

Location means the property from which an alarm signal originates.

Monitoring company means any person in the business of receiving signals from an alarm system and relaying an alarm dispatch request to the emergency services providers for the purpose of summoning emergency services to the alarm site.

Owner, user, or operator of an alarm system means the person in control of premises wherein an alarm system is maintained.

Verify means an attempt by the monitoring company, or its representative, to contact the alarm location and/or alarm user by telephone and/or other electronic means, whether or not actual contact with a person is made, to determine whether an alarm signal is valid before requesting E-911 dispatch, in an attempt to avoid an unnecessary police/fire response. For the purpose of this ordinance, telephone verification shall require, as a minimum, that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly identify themselves to determine whether an alarm signal is valid before requesting police/fire response.

(Ord. No. O-6-07, § 1, 1-30-07)

Sec. 19-112. Notification required.

- (a) To aid in the prevention of false alarms, and to facilitate public safety response to actual emergencies, every alarm user, as defined in § 19-111, within the corporate limits of the city shall, by the effective date of the ordinance from which §§ 19-110—19-119 derived or prior to use of an alarm system, register with the city on forms to be provided. The information submitted on the forms shall include:
 - (1) The name of the servicing alarm company and, if applicable, the alarm monitoring company, along with the name of a designated representative of the servicing alarm company assigned to address false alarm issues on a non-emergency basis;
 - (2) Whether the alarm system is installed in residential, governmental or commercial premises;
 - (3) The name, address, business and/or home telephone number of the owner, user or operator of the alarm system;
 - (4) The names and telephone numbers of at least two persons to be notified in the event of an alarm activation, including the name, address and telephone numbers of at least one local person to be responsible for the alarm system; and
 - (5) For governmental entities, the normal business hours for the premises.
- (b) It is a violation of this section to have a functional alarm system without having registered as required by this section.
- (c) Any person or entity installing an alarm system, as defined in section 19-111, shall provide notification in writing to the owner, user or operator of the alarm system of the registration requirements imposed herein.
- (d) Any violation of this section shall be punished as set forth in City Code § 1-9.

(Ord. No. O-6-07, § 1, 1-30-07)

Sec. 19-113. Failure to respond to alarm—Automatic shutoff.

- (a) It shall be unlawful for any owner, user or operator of an alarm system to knowingly and purposefully fail to respond to his premises, either personally or through an employee or agent, within one hour after notification by fire or police personnel of alarm activation, whether false or not.
- (b) No alarm system shall be operated within the corporate limits of the city with an alert or warning device audible outside the location serviced by the alarm system, with the exception of fire or mechanically-activated water flow alarm devices, without an automatic shutoff to function within fifteen (15) minutes of the sounding of the alert or warning device.
- (c) Any violation of this section shall be punished as set forth in City Code § 1-9.

(Ord. No. O-6-07, § 1, 1-30-07)

Sec. 19-114. Automatic dialing devices.

It shall be unlawful for any automatic dialing device with a prerecorded message to call any police, fire or emergency communication line. Any violation of this section shall be punished as set forth in City Code § 1-9.

(Ord. No. O-6-07, § 1, 1-30-07)

Sec. 19-115. Alarm verification.

A monitoring company shall verify every alarm signal, except a duress, holdup or fire alarm activation, before requesting a emergency response to an alarm system signal.

(Ord. No. O-6-07, § 1, 1-30-07)

Sec. 19-116. Limit on false alarms.

- (a) It shall be unlawful for the owner, user or operator of any alarm system, as defined in § 19-111, to have or cause more than two (2) false alarms from any one (1) location within the city during any twelve-month period. Any subsequent false alarm within twelve (12) months of a prior violation shall also constitute a violation of sections 19-110—19-119.
- (b) Violations of this section shall be punished by a fine not to exceed twenty-five dollars (\$25.00) for the first offense and for each subsequent offense. A citation alleging a violation of this section shall be forwarded by first-class mail to the address of the owner, user or operator of any alarm system, as registered pursuant to § 19-112(a)(3). Personal service of process on the owner, user or operator of the alarm system shall not be required.
- (c) Any owner, user or operator of any alarm system, as defined in § 19-111, except an alarm system owned and operated by any governmental entity or subdivision, found to have violated this section twice in any twelve-month period shall also be liable for civil damages to the city for the actual cost of any response by law enforcement or emergency personnel, and for the actual cost to the city for any interruption of public services or closure of public facilities reasonably necessitated by response to such false alarm, in an amount up to the maximum allowed by state law.
- (d) Except for fire or mechanically-activated water flow alarm devices and alarm systems owned and operated by any governmental entity or subdivision, upon a finding that an owner, user or operator has violated this section twice in any twelve-month period, said owner, user or operator shall further be prohibited from

operating the alarm system at issue in such a manner as to be the sole basis for a request for response by law enforcement personnel for a period of one (1) year from the date of the finding. The chief of police or his designee shall have discretion to waive this prohibition upon proof satisfactory to him that the alarm system at issue has been replaced, repaired or modified so as to substantially reduce the risk of further false alarms.

(Ord. No. O-6-07, § 1, 1-30-07; Ord. No. O-208-07, § 1, 9-11-07)

Sec. 19-117. Notice and enforcement.

- (a) The chief of police or his designee shall mail by United States mail to each owner, user, or operator of an alarm system written notice of each false alarm attributed to that person of such false alarm. Any second notice within a twelve-month period to the same person shall bear the following legend: "This is the second false alarm, as defined in Knoxville City Code § 19-111, received from this location within a twelve-month period. Three or more false alarms within a twelve-month period shall subject the owner, user, or operator of the alarm system to a fine and/or other penalties as set forth in Knoxville City Code § 19-116."
- (b) The provisions of sections 19-110—19-119 shall not take effect as to any owner, user, or operator of an alarm system for thirty (30) days after completion of system installation to allow for equipment failure, adjustment, subscriber education and possible environmental problems that cannot be detected prior to installation.

(Ord. No. O-6-07, § 1, 1-30-07)

Sec. 19-118. Confidential information.

In recognition of the limitations imposed by the Tennessee Public Records Act, T.C.A. § 10-7-503 et seq., to the maximum extent permitted by law, the information required by the false alarm ordinance to be provided to the city shall be deemed to be confidential and not subject to public inspection or disclosure:

- (1) If the information is proprietary in nature and identified as such; or
- (2) If the public interest in non-disclosure clearly outweighs the public interest in disclosure (e.g. the disclosure of such information would threaten the safety or security of alarm users, public safety officers, or other persons).

(Ord. No. O-6-07, § 1, 1-30-07)

Sec. 19-119. Severability.

The provisions of the false alarm ordinance are severable, and should any provision of said ordinance or its application to any person or circumstance be held invalid, such invalidity shall not affect other provisions or applications of the false alarm ordinance which can be given effect without the invalid provisions or application.

(Ord. No. O-6-07, § 1, 1-30-07)