

ORDINANCE NO. 5888

AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE CHAPTER
26 REGARDING ALARMS

WHEREAS, in Chapter 26, Article II, of the Fairbanks General Code, the City adopted regulations governing the connection of private alarm systems to the City's alarm circuit; and

WHEREAS, since the adoption of this section of the code, changes have been made to the standards for such alarms; and

WHEREAS, the different requirements for fire alarms versus security alarms need to be clarified,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That Fairbanks General Code Chapter 26, Article II, is amended as follows [new text is in **bold/underlined** font; deleted text is in ~~strike-out~~ font]:

DIVISION 2. PERMIT

Sec. 26-51. Private connection permit.

(a) ~~Connection Required.~~ A person having a ~~private~~ **fire or security** alarm system may connect the **alarm** system to the ~~city alarm circuit~~ **Fairbanks Emergency Communication Center (FECC)** upon obtaining a permit for the connection from the **FECC Manager** ~~director of public safety.~~

(b) ~~Application.~~ ~~Any person owning or possessing an alarm shall, within 48 hours of installation,~~ **Fire and security alarm connection permits may be obtained by** ~~submitting~~ an application to the ~~department of public safety~~ **FECC** ~~for an alarm permit.~~ The application shall ~~require~~ **must include** the identity of the owner, location of the alarm, and the name and telephone number of the person responsible for the alarm.

(c) ~~Standards.~~ ~~The director of public safety shall issue a~~ **A connection** permit for the ~~connection~~ **may be issued** if **the alarm system for which a permit is sought** ~~it is found that the connection:~~

- (1) ~~Will be~~ **Is** compatible with the ~~city~~ **FECC** alarm circuit ~~or monitoring~~ system;
- (2) ~~Will connect an adequate and~~ **Is/will be** properly installed and maintained ~~private alarm system;~~ and

- (3) Will substantially benefit the city fire prevention and police procedures.

(d) *Restrictions.* The permit may be issued subject to reasonable requirements, terms and conditions as the ~~director of public safety~~ **Fire Chief, Police Chief or FECC Manager** may require to provide the connection of an adequate private system and to maintain the permit standards.

(e) *Currency of information.* Any person owning an **fire or security** alarm shall be under a continuing obligation to keep the information on its application current by ~~prompt~~ notification to the ~~department of public safety~~ **FECC** of any change **within no later than** five business days of such change.

(f) *Revocation.* A permit may be revoked by the mayor for noncompliance with the permits standards and restrictions. ~~Regardless of any other provision of this section, the permit may be revoked by the city council at any time if the city council in its discretion finds that the disconnection of the private security alarm system is in the best interests of the city, and T~~ the prior granting of the permit or the expenditure of ~~fundsmoneys~~ by the permit holder in reliance on the permit shall not create any vested rights in the permit holder or any estoppel against the city. **Notice of the revocation shall be made by a police or fire official in person or in a writing mailed to the address listed on the permit.**

Sec. 26-52. ~~Permit display; s~~Street address; messages.

(a) ~~A permit issued under this division shall be displayed at or near the main entrance of the permitted location with the permit number clearly visible and readable from the exterior of the premises.~~

(ab) The permittee shall have a clearly visible **its** street address number, displayed **in contrasting colors, clearly visible from the street** at or near the front the premises and at other places where access is available.

(be) All alarm system messages to the **FECC** ~~department of public safety~~ shall **must** include the permit number except as exempted by the **FECC** ~~department of public safety~~.

Sec. 26-53. Connection.

The **permit** holder shall pay the city for the cost of the initial hookup. The permit holder shall provide, install, and maintain ~~his~~ **its** own **private fire or security alarm** system up to but not including the alarm console circuits, all without expense to the city. ~~The maintenance of the private system must be by a qualified person approved by the director of public safety engaged in the business of installing and maintaining a supervisory fire alarm system who shall use Pacific Fire Rating Bureau and National Fire Protection Association standards.~~

Sec. 26-53.1. Installation/Maintenance – Fire Alarms.

The installation and maintenance of a fire alarm system must be by a qualified person who holds a permit issued by the State Fire Marshal's Office and meets the standards set out in NFPA 72 (National Fire Protection Association).

Sec. 26-53.2. Installation/Maintenance – Security Alarms.

The installation and maintenance of a security alarm system must be by a qualified person using recognized installation practices.

Sec. 26-54. Disconnection of system.

It shall be unlawful for any person, except a person authorized by the **Fire Chief, Police Chief, or FECC Manager**~~director of public safety~~ to connect or disconnect, temporarily or otherwise, a **private fire or security** alarm system, or other wires or conduits, to a city alarm system **from the FECC**.

Sec. 26-55. Fees.

The permit holder shall pay a fee to the city for the connection of the **private fire or security** alarm system to the city alarm **monitoring** system and a monthly ~~circuit use~~**monitoring** fee. Fees for this service will be set forth in the city schedule of fees and charges for services.

DIVISION 3. FALSE/NUISANCE ALARMS

Sec. 26-76. Definitions.

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

Alarm means any operable assembly of equipment and devices or a single device, except an official municipal fire or police alarm, ~~but~~ including without limitation automatic dialing devices which telephone a prerecorded message or transmit a signal or message to the **FECC** ~~department of public safety~~ and devices that produce an audible or visible signal which is intended to alert the police or some other person that a criminal act, fire or other emergency exists and requires assistance. Devices commonly known as single-station smoke alarms intended primarily for private residential use and designed to emit a local signal from the

device upon the detection of smoke, fumes or heat shall not be considered alarms for purposes of this article.

False/Nuisance alarm means an alarm signal that the **Police Chief, Fire Chief, or FECC Manager** ~~director of public safety~~ determines was caused by a reason other than **(1) theat** condition which the alarm is designed or intended to detect or **(2) by** a natural phenomenon beyond the control of the owner.

Owner means any person responsible for the proper operation of an alarm ~~and in possession of a permit issued by the director of public safety.~~

Sec. 26-77. Prohibited acts.

It shall be unlawful for any person to:

- (1) Intentionally cause, permit or allow a false/**nuisance** alarm signal to be emitted from an alarm.
- (2) ~~Own, install, connect, operate or possess an alarm except as provided under this article.~~
- (23) Own, operate, connect, install or possess an audible **security** alarm unless that alarm automatically ceases to emit an audible sound after 15 minutes and does not repeat the audible sound thereafter.
- (34) Own, operate, connect, install or possess an audible alarm system that emits a sound similar to that of any civil defense warning system.
- (45) Operate or use a robbery alarm system for any purpose other than detecting and reporting robberies or other crimes involving potential serious bodily injury or death.
- (56) Operate or use a burglary system for any other purpose other than detecting and reporting an unauthorized entry upon the premises protected by such system.
- (67) Operate or use an alarm system which has been disapproved by the **Police Chief, Fire Chief, or FECC Manager**~~department of public safety.~~
- (78) Install, connect, own or possess an automatic direct dial alarm or any alarm device in such a fashion as to ring any telephone number at the **police** department, **fire department or FECC**~~of public safety.~~

- (89) Fail to cooperate with employees of the police and fire departments or the FECC of ~~public safety~~ when the permittee's alarm system is the subject of an official investigation.

Sec. 26-78. Alarm response.

Any person in possession of a permit ~~issued~~required pursuant to division 2 of this article shall respond to an alarm activation at its premises as soon as possible after being requested to do so by ~~the police department or fire department of public safety~~ officials at the scene or by the FECC. Officials will not be required to stand by pending arrival of the permittee.

Sec. 26-79. False/nuisance alarm service charge.

(a) The owner of an alarm ~~is subject to~~shall pay a ~~progressive false/nuisance~~ alarm charge in accordance with the city schedule of fees and charges for services.

Sec. 26-80. Permit revocation.

(a) The Police Chief, Fire Chief or FECC Manager ~~director of public safety~~ may revoke a permit issued pursuant to division 2 of this article if:

- (1) Service charges are not paid within 60 days of the billing date.
- (2) False/nuisance alarms exceed ten within a 12-month period.
- (3) The owner has violated any provisions of this article.

(b) ~~Police and fire response~~ for security alarms may be terminated to any location without a valid permit or at which the permit has been revoked.

(c) A permit revocation or a response termination made under this section may be appealed to the mayor within 15 days from the time written notice of revocation is received by the permittee. The appeal must be in writing and clearly state what action has been taken to correct the situation. Written notice of revocation shall be deemed received when delivered to the permittee personally or upon proof of mail delivery.

Sec. 26-81. Service charge reversal.

The Police Chief, Fire Chief, or FECC Manager ~~director of public safety~~ shall reverse any service charge when a determination is made that such charge was erroneously made or upon verifiable evidence submitted by the permittee within 30 days of the alarm debt that a crime or fire did~~has~~ occurred. Reversal of the service charge may also be made at the discretion of the Police Chief, Fire

Chief, or FECC Manager if the cause of the alarm was outside the control of the permittee. The decision of the Police Chief, Fire Chief or FECC Manager director of public safety may be appealed to the mayor within 15 days of notice by the director of public safety of denial of a service charge reversal request.

Section 2. That the effective date of this Ordinance shall be the 11th day of August 2012.

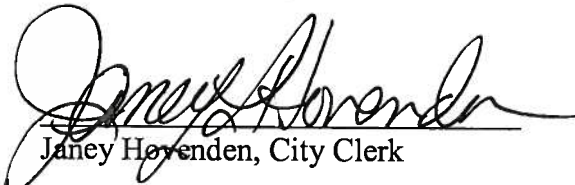


Jerry Cleworth, City Mayor

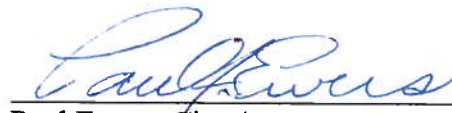
AYES: Stiver, Matherly, Gatewood, Hilling, Eberhart, Roberts
NAYS: None
ABSENT: None
ADOPTED: August 6, 2012

ATTEST:

APPROVED AS TO FORM:



Janey Heyenden, City Clerk



Paul Ewers, City Attorney