

**ORDINANCE NO. 6107**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL  
CODE CHAPTER 26, ARTICLE II, ALARM SYSTEM**

**WHEREAS**, certain sections of the current Chapter 26, Article II of the Fairbanks General Code have become outdated, certain sections require amendment, and reorganization of Chapter 26, Article II is needed; and

**WHEREAS**, the proposed changes are in line with current procedures of FECC, fire, and police.

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

**Section 1.** That FGC Chapter 26, Article II, Alarm System is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~striketrough~~ font]:

DIVISION 2. – **ALARM MONITORING PERMIT**

**Sec. 26-51. – Private connection permit.**

(a) *Connection.* A person having a fire or security alarm system may connect the alarm system to the Fairbanks Emergency Communication Center (FECC) **for monitoring**~~upon obtaining a permit for the connection from the FECC Manager.~~

(b) *Application.* Fire and security alarm ~~monitoring connection permits~~ may be **established** ~~obtained~~ by submitting an application to the FECC. The application must include the identity of the owner, location of the alarm, a description of the manufacturer and type of alarm, and the name and telephone number of the person responsible for the alarm.

(c) *Standards.* **To be monitored,** ~~A connection permit may be issued if the alarm system~~ **must** ~~for which a permit is sought:~~

- (1) ~~Is~~**Be** compatible with the FECC alarm monitoring system;
- (2) ~~Is/will be~~**Be** properly installed and maintained; and
- (3) ~~Will benefit~~**Benefit** city fire and police procedures.

(d) *Restrictions.* The **connection may be established**~~permit may be issued~~ subject to reasonable requirements, terms, and conditions as the fire chief, police chief, or FECC ~~M~~**manager** may require.

(e) ~~Currency of~~ **Duty of alarm owner to keep information current.** Any person owning a fire or security alarm shall be under a continuing obligation to keep the information on its application current by notification to the FECC of any change within five business days.

(f) ~~Revocation.~~ A permit may be revoked by the mayor for noncompliance with the permit standards and restrictions. The prior granting of the permit or the expenditure of funds 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. **Intrusion detection systems. All intrusion detection systems (IDS) must use “enhanced call verification” (ECV). ECV is a process by which alarm monitoring companies verify the legitimacy of an IDS activation by making a minimum of two calls prior to making an alarm dispatch request, one to the alarm site and the second to a different telephone number where a responsible party can be reached (preferably a cell phone number).**

**Sec. 26-52. – Street address; messages.**

(a) The ~~alarm owner~~ **permittee** shall have ~~their~~ **its** street address number, displayed in contrasting colors, clearly visible from the street.

(b) All alarm system messages to the FECC must include the ~~assigned monitoring~~ **permit** number except as exempted by the FECC.

**Sec. 26-53. – Connection.**

~~The permit holder shall pay the city for the cost of the initial hookup.~~ **Upon approved application to the FECC, the monitoring connection will be established.** The ~~alarm owner~~ **permit holder** shall provide, install, and maintain its own fire or security alarm system up to but not including the alarm console circuits, all without expense to the city.

**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 ~~M~~ **manager** to disconnect, temporarily or otherwise, a fire or security alarm system from the FECC.

**Sec. 26-55. – Fees.**

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

**Sec. 26-56. – Revocation and appeals.**

**(a) The police chief, fire chief, or FECC manager may remove a connection established pursuant to this article if:**

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

**(b) Police response for security alarms may be terminated to any location without a valid connection or at which the connection has been removed.**

**(c) Notice of revocation shall be made by the mayor or a police or fire official in person or in writing and shall be mailed to the address listed on the application for connection. The prior granting of the connection or the expenditure of funds by the alarm owner in reliance on the connection shall not create any vested rights of the alarm owner or any estoppel against the city.**

**(d) A 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 alarm owner. 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 alarm owner personally or upon proof of mail delivery.**

Secs. 26-~~57~~56 – 26-75. - Reserved.

**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, including without limitation automatic dialing devices which telephone a prerecorded message or transmit a signal or message to the FECC 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 ~~M~~anager determines was caused by a reason other than (1) the 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.

#### **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, 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.
- (3) Own, operate, connect, install, or possess an audible alarm system that emits a sound similar to that of any civil defense warning system.
- (4) 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.
- (5) 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.
- (6) Operate or use an alarm system which has been disapproved by the police chief, fire chief, or FECC ~~M~~anager.
- (7) 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.
- (8) Fail to cooperate with employees of the police and fire departments or the FECC when the ~~permittee's~~ alarm owner's system is the subject of an official investigation.

#### **Sec. 26-78. – Alarm response.**

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

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

The owner of an alarm is subject to a 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 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 response for security alarms may be terminated to any location without a valid permit or at which the permit has been revoked.~~

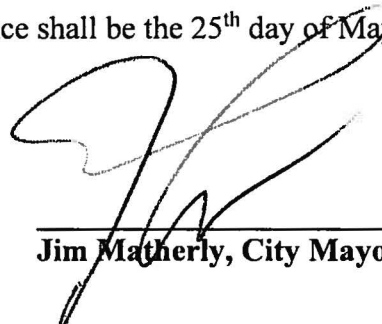
~~–(c) A permit revocation or a response termination made under this section may be appealed to the mayor within 15 days from the time written notice of revocation is received by the permittee. The appeal must be in writing and clearly state what action has been taken to correct the situation. Written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

**Sec. 26-8081. – Service charge reversal.**

The police chief, fire chief, or FECC Manager shall reverse any service charge for a false or nuisance alarm when a determination is made that such charge was erroneously made or upon verifiable evidence submitted by the alarm owner permittee within 30 days of the alarm billing debt that a crime or fire did occur. 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 false or nuisance alarm was outside the control of the alarm owner permittee. The decision of the police chief, fire chief, or FECC Manager may be appealed to the mayor within 15 days of notice of denial of a service charge reversal request.

**Secs. 26-8182 – 26-110. – Reserved.**

**Section 2.** That the effective date of this Ordinance shall be the 25<sup>th</sup> day of May 2019.




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Jim Matherly, City Mayor

AYES: Kun, Ottersten, Therrien, Cleworth, Rogers  
NAYS: None  
ABSENT: Pruhs  
ADOPTED: May 20, 2019

ATTEST:

APPROVED AS TO FORM:

  
D. Danyielle Smider, City Clerk

  
Paul J. Ewers, City Attorney