

STATE OF WISCONSIN

VILLAGE OF SUSSEX

WAUKESHA COUNTY

ORDINANCE NO. 700

AN ORDINANCE TO REPEAL AND RECREATE SECTION 9.08 FALSE ALARM CHARGES OF THE VILLAGE OF SUSSEX MUNICIPAL CODE.

WHEREAS: The Village of Sussex has an existing false alarm charge program requiring permits and fees for false alarms, and

WHEREAS: The existing system is neither efficient or effective at curtailing false alarms, which require and use up significant resources to respond to, and

WHEREAS: The proposed alarm system has worked in neighboring communities to curtail false alarms and allow public safety resources to be used in a more effective manner

NOW, THEREFORE, the Village Board of the Village of Sussex, Waukesha County, Wisconsin. DO ORDAIN as follows:

SECTION 1: Repeal and Recreate Section 9.08 False Alarm Charges as follows:

9.08 ALARM SYSTEM REQUIREMENTS AND FALSE ALARMS PROHIBITED.

(1) INTENT. Although the Village of Sussex recognizes that alarm systems serve a public purpose, it is the intent of this section to establish standards and regulations for all alarm systems as defined in this section in the Village of Sussex and to prevent carelessness, improper maintenance or any other cause which results in false alarms from privately owned, commercially owned, leased or contracted alarm systems in that a large number of such false alarms are received by the Village of Sussex. Such false alarms initiate police and/or fire department personnel and vehicle response which result in unnecessary expense to the Village, increases the risk of damage to property or injury to persons and dilutes the police and fire protection available to other areas of the Village. Such false alarms, therefore, constitute a public nuisance which must be abated and/or penalized.

(2) DEFINITIONS.

(a) Private alarm system is defined as any device, designed and installed solely for the purpose of detecting and signaling the police and/or fire department, directly or via a central alarm station, to make an emergency response to the signal's location.

1. Direct private alarm system is any private alarm system which is in any way linked to the police and/or fire department.

2. Indirect private alarm system is any private alarm system which is in any way linked to a central alarm station.

(b) False alarm is a signal, regardless of how received, resulting in a response by the police and/or fire department when an emergency situation does not exist. The determination of a False Alarm is made by the Village Administrator in consultation with the Fire Chief or Director of Police Services.

(c) Local alarm system is any system which emits either an audible or visual signal, or both, on the exterior of any property, and is not connected to any other location by any means. This does not include any device designed solely for the purpose of alerting a building's occupants of fire, smoke or illegal entry, or any alarm devices on automobiles.

(d) Person shall mean any individual, partnership, corporation or other entity.

(e) Central alarm station shall mean any facility which receives signals from alarm systems and alerts the police and/or fire department of the need to make an emergency response to the signal.

(3) CENTRAL ALARM STATION DUTIES. Any person, company, organization or other entity providing a central alarm station monitoring service of alarms covered by this section shall be capable of having a service representative or other authorized key holder respond to the alarm location within thirty (30) minutes after activation.

(4) ALARM CONDITIONS. Alarms shall not be installed without meeting the following conditions:

(a) The alarm system has the approval of the Underwriters Laboratories or other nationally recognized testing service.

(b) The alarm system has or will be installed in accordance with any applicable requirements of the Village Electrical Code, including necessary permits.

(c) The local alarm system shall have a device which will shut off any audible signal automatically within fifteen (15) minutes after activation.

(d) Person's shall follow regular alarm testing procedures set forth by the Village Fire Chief.

(e) For indirect private alarm systems the following additional requirements apply:

1. Equipment must meet at least minimum standards as set forth in the Federal Bank Protection Act of 1968.

2. Person's shall remove the alarm system when the service is disconnected.

3. Person's shall install at his or her expense at the Police or Fire Department switchboard termination point, equipment which is designated by the Chief of Police or Fire Chief.

(f) No person, firm or corporation shall use or cause to be used, any telephone or electronic device or attachment which automatically selects a public primary telephone trunk line of the police or fire department, and then reproduces any pre-recorded message to report any intrusion, robbery or other emergency. Nor will the installation of a private telephone and trunk line for this purpose be allowed.

(5) False Alarm Fees. Any false alarm from an alarm system responded to by the Village's Police or Fire Services in excess of two in the twelve (12) month period of

January 1 through December 31 will incur a special charge for current services rendered. Such charge shall be approved as part of the fees resolution of the Village of Sussex and may be adjusted from time to time by the Village Board as deemed appropriate. The Village shall send a bill for the amount of the charge, to the property owner, and if applicable also to the tenant or other occupant of the property where the false alarm occurred. Such charges that remain unpaid on November 15<sup>th</sup> of the current year shall become a lien, and shall automatically be extended upon the tax roll as a special charge against the property served pursuant to Section 66.0627 of the Wisconsin Statutes, regardless of whether the resident individual or business causing the alarm is the property owner.

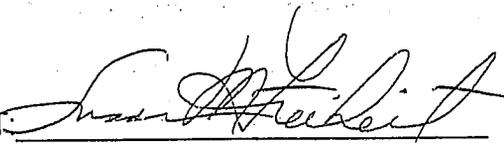
(6) EXEMPTIONS. Property owned or leased by the Village of Sussex and the Hamilton School District is excluded from the provisions of this chapter.

**SECTION 2.** The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of the court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and not affect the validity of all other provisions, sections, or portions thereof the ordinance which shall remain in full force and effect. Any other ordinances are hereby repealed as to those terms that conflict.

**SECTION 3.** This ordinance shall take effect immediately upon passage and posting or publication as provided by the law.

Passed and adopted this 22<sup>ND</sup> day of JANUARY, 2008.

  
\_\_\_\_\_  
Village President

ATTEST:   
\_\_\_\_\_  
Clerk-Treasurer