

**ORDINANCE NO. 1179**

**AN ORDINANCE AMENDING SECTION 7-12 OF THE DRAPER CITY CODE PERTAINING TO ALARM SERVICES**

**WHEREAS**, Draper City Municipal Code Section 7-12 addresses Alarm Services for the City.

**WHEREAS**, the City has determined the alarm registration fee is no longer applicable, and the City does not derive a benefit from this fee;

**WHEREAS**, the City has determined that the twelve month period for false alarms should be defined as a rolling twelve month period.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRAPER, STATE OF UTAH, AS FOLLOWS:**

**SECTION I. Amendment.** Draper City Municipal Code Section 7-12 is hereby amended to read as outlined in Exhibit A, which is attached hereto and incorporated herein by this reference.

**SECTION II. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

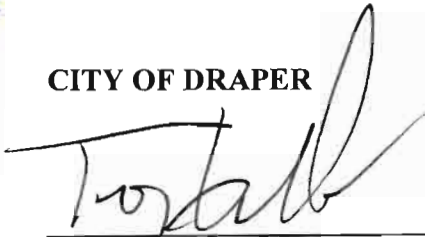
**SECTION III. Effective Date.** This ordinance shall become effective immediately upon publication or posting or 30 days after final passage, whichever is closer to the date of final passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 1st DAY OF DECEMBER, 2015.**



**ATTEST:**

  
Rachelle Conner, City Recorder

**CITY OF DRAPER**  
  
Troy K. Walker, Mayor

## Exhibit A

### CHAPTER 7-12 ALARM SERVICES

#### Sections:

<u>07-12-010</u>	<u>Definitions.</u>
<u>07-12-020</u>	<u>Registration Required to Operate an Intrusion or Physical Duress Alarm System Business.</u>
<u>07-12-030</u>	<u>Certification Required to Operate a Central Station Supervised Fire Alarm System Individual Employee's Registration Required.</u>
<u>07-12-040</u>	<u>Registration Procedure.</u>
<u>07-12-050</u>	<u>Alarm User Permits.</u>
<u>07-12-060</u>	<u>Alarm Information.</u>
<u>07-12-070</u>	<u>Police Department Call Records.</u>
<u>07-12-080-040</u>	<u>User Instructions.</u>
<u>07-12-090-050</u>	<u>City Liability Limitations.</u>
<u>07-12-100-060</u>	<u>False Alarms.</u>
<u>07-12-110-070</u>	<u>Interagency Communications.</u>
<u>07-12-120-080</u>	<u>Deliberate False Alarms.</u>
<u>07-12-130-090</u>	<u>Penalties.</u>

**Section 07-12-010 Definitions.** As used within this ordinance:

(a) "Alarm business" means the business of any individual, partnership, corporation or other entity of selling, leasing, maintaining, monitoring, repairing, altering, replacing, removing, moving, installing, planning the installation, or assisting in planning the installation of any alarm system or causing any of the above to occur, whether in or on any building, structure, facility or premises.

(b) "Alarm system" means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry, fire or medical emergency, or other activity requiring urgent attention and to which public safety officers, and/or the fire department, are expected to respond.

(c) "Alarm user" means the person, firm, partnership, association, corporation, company, or organization thereof of any kind in control of a building, structure or facility wherein an alarm system is maintained.

(d) "Automatic dialing device" means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal any emergency message indicating a need for emergency response.

(e) "Central Station Fire Alarm System" means a system or group of systems in which the operations of circuits and devices are transmitted automatically to, recorded in, maintained by, and supervised from a listed central station having competent and experienced servers and operators who, upon receipt of signal, take such actions as required by NFPA 72 (National Fire Alarm Code). Such service is to be controlled and operated by a person, firm, or corporation whose business is the furnishing, maintaining, or monitoring of supervised fire alarm systems.



(f) ~~“Valley Emergency Communications Center (VECC) and police/fire dispatch” are the governmental facilities used to receive emergency and general information from the public to be dispatched to the Police Department, or the fire department. “Coordinator” means the individual designated by the Police Department to issue permits and enforce the intrusion alarm provisions of this Chapter.~~

(g) ~~“Intrusion alarm system” means an alarm system signaling an entry or attempted entry into the area protected by the system. “False alarm” means an alarm signal eliciting a response by peace officers, or the fire department, when a situation requiring a response by them or other emergency response units in fact does not exist. It includes an alarm signal caused by conditions of nature which are normal for that area and subject to control by the alarm business operator or alarm user. “False alarm” does not include an alarm signal caused by extraordinarily violent conditions of nature not reasonably subject to control.~~

(h) “Fire alarm system” means a manual or automatic fire alarm system signaling a fire emergency at a given location, building or facility.

(i) ~~“Coordinator” means the individual designated by the Police Department to issue permits and enforce the intrusion alarm provisions of this Chapter. “Fire Department” means the Unified Fire Authority, or their designated representative.~~

(j) ~~“False alarm” means an alarm signal eliciting a response by peace officers, or the fire department, when a situation requiring a response by them or other emergency response units in fact does not exist. It includes an alarm signal caused by conditions of nature which are normal for that area and subject to control by the alarm business operator or alarm user. “False alarm” does not include an alarm signal caused by extraordinarily violent conditions of nature not reasonably subject to control. “Interconnect” means to connect an alarm system, including an automatic dialing device, to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.~~

(k) ~~“Interconnect” means to connect an alarm system, including an automatic dialing device, to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system. “Intrusion alarm system” means an alarm system signaling an entry or attempted entry into the area protected by the system.~~

(l) ~~“Primary trunk line” means a telephone line serving the VECC system or sheriff/fire dispatch that is designated to receive emergency calls. “Local alarm” means any noise-making or visual alarm device.~~

(m) “Physical duress system” means an alarm system signaling a robbery or other physical endangerment.

(n) “Police Department” means the Draper City Police Department, or their designated representative.

(o) ~~“Fire Department” means the Salt Lake County Fire Department, or their designated representative. “Primary trunk line” means a telephone line serving the VECC system or sheriff/fire dispatch that is designated to receive emergency calls.~~

(p) ~~“Local alarm” means any noise-making or visual alarm device. “Valley Emergency Communications Center (VECC) and police/fire dispatch” are the governmental facilities used to receive emergency and general information from the public to be dispatched to the Police Department, or the fire department.~~



**Section 07-12-020 Registration Required To Operate an Intrusion or Physical Duress Alarm System Business.**

(a) It is unlawful for any person, partnership, corporation or association to own, manage, conduct or carry on the business of selling, leasing, installing, servicing, maintaining, repairing, replacing, moving or removing, or causing to be sold, leased, installed, serviced, maintained, repaired, replaced, moved or removed in or on any building, residence or other property within the City any device known as an intrusion or physical duress alarm system, or automatic dialing device connected to an answering service, unless such person, partnership, corporation or association has obtained a license from the Utah State Department of Commerce, Division of Occupational and Professional Licensing, granted in compliance with the provisions of the Utah Construction Trades Licensing Act, Section 58-55-101, et. seq., Utah Code Annotated, (1953).

**Section 07-12-030 Certification Required to Operate a Central Station Supervised Fire Alarm System.**

(a) Central Station Fire Alarm Systems providing service must comply with NFPA 72 (the National Fire Alarm Code).<sup>[MGB1]</sup> Only listed and approved equipment may be used. Fire Alarm plans must be submitted to the Draper City Fire Marshal for review and approval, and final testing must be performed before the fire alarm system can be certified for initial use.

(b) Approved Central Station service providers must assure that their company name, the client's account number, and a 24-hour toll-free telephone number to their dispatch center is clearly marked on the master fire alarm control panel for the building, or where no control unit exists, on or near a primary fire alarm system component by the main entrance to the structure.

(c) Any person who installs a fire alarm system must be licensed as a contractor by the Utah State Department of Public Licensing. The installing contractor(s) must be legally eligible per state law to install, service and/or maintain the fire alarm system, and all appurtenances for that system.

~~**Section 07-12-040. Registration Procedure.** Every intrusion or physical duress alarm user shall register their name, address and contact information with the Police Department.~~

~~**Section 07-12-050 — Intrusion or Physical Duress Alarm User Permits.**~~

~~(a) Every alarm user shall have on its premises, or in its possession, an alarm user permit issued by the Police Department at the rate established in the City's Consolidated Fee Schedule.~~

~~(b) It is unlawful for an alarm user to report, or cause to be reported, to the Police Department or other emergency service agency the activation of any alarm system on any premises for which the alarm user has not obtained an alarm user permit.~~

~~(c) It shall be unlawful to operate an automatic dialing device directly connected to the Police Department, VECC or other emergency service agency. Automatic dialing devices must be connected through an alarm monitoring (or central station) service.~~

~~**Section 07-12-060 — Alarm Information.**~~

~~(a) An alarm information card will be completed and submitted to the Police Department's alarm coordinator by the user of any intrusion or physical duress alarm system prior to the operation of the system.~~



~~(b) This card shall set forth the full name, address and telephone number of both the owner or lessee on whose premises the system will be installed, operated, connected or maintained, and the name of the person or licensed alarm system business installing, maintaining or servicing the system, as well as the type of system to be installed, operated or maintained. The card shall further contain the names, addresses and telephone numbers of three individuals who may be contacted by peace officers responding to an alarm. The persons listed shall have authority to act for the alarm user in granting peace officers access to any portion of the premises concerned and shall be knowledgeable in the basic operation of the alarm system. The alarm information card shall contain such additional information as the Police Department shall reasonably deem necessary to properly identify and locate the user, the alarm business installing, servicing or maintaining the alarm system, and the persons to be contacted in the event of the filing of an alarm report.~~

~~(c) A service fee may be assessed upon a user when the peace officers responding to an alarm are unable to contact any of the listed parties due to outdated or inaccurate information provided by the user; or if none of the listed parties are available; or if the listed parties fail to respond to the scene within thirty minutes of notice. The service fee shall be determined by treating the violation as if it were a false alarm, as provided below, and may be considered as a second instance for the computing of fees should the cause of the alarm be false.~~

~~(d) In addition to submitting the alarm information card, users of audible outside local intrusion or physical duress alarm systems shall post near the alarm and at a position readable from ground level, a code number furnished by the alarm coordinator to allow reference to the alarm information card required by this Section. All such audible or visual, intrusion or physical duress alarm devices shall be equipped with an automatic cutoff device which will terminate the audible or visual alarm within thirty minutes.~~

~~**Section 07-12-070 — Police Department Call Records.** Alarm businesses who request the Police Department or Fire Department's response to an alarm signal(s) shall maintain a record of all such calls, stating the time, date, location of the alarm and the name, address and phone number of the alarm user. The records shall indicate the cause of the alarm, if known. This record shall be current and shall be made available to the Police or Fire Department or their designated representative at any time during normal business hours.~~

**Section 07-12-~~080040~~ User Instructions.**

(a) Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on premises located within Draper City shall furnish the alarm user with written instructions that provide information to enable the user to operate the alarm system properly.

(b) Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on premises located within Draper City shall notify the alarm user in writing of this Chapter's alarm user **permit** requirement within five (5) business days of sale or installation. The notice shall be addressed to the alarm user, or if the user is a business entity, to its manager or designated person in charge, and shall contain the user's telephone number (if known) and the street location of the premises on which the alarm system is installed. A copy of such notice shall be mailed or delivered to the Draper City Police Department, Attention: Alarm Systems Coordinator, 1020 East Pioneer Road, Draper, UT, 84111, at the same time the original notice is

sent. For fire alarms systems only, the copy of such notice should be mailed to the Draper City Fire Marshal at Draper City Hall, 1020 East Pioneer Road, Draper, Utah 84020.

**Section 07-12-~~090050~~** **City Liability Limitations.** The City shall not be liable for any defects in operation of burglar, robbery or fire alarm systems, for any failure or neglect to respond appropriately upon the receipt of notice of a tripped alarm nor for the failure or neglect of any persons registered or issued a permit pursuant to this Chapter in connection with the installation, operation or maintenance of the equipment necessary to or incident to the operation of such systems. In the event the City finds it necessary to order the system disconnected, the City shall incur no liability for such action.

**Section 07-12-~~100060~~** **False Alarms.**

~~(a) Any alarm user which has two or more false alarms within a twelve-month period shall be subject to revocation of the user permit and assessment of a civil penalty. Revocation of a user permit shall be in accordance with the license revocation provisions specified in Title 6 of this Code, as amended.~~

~~(b) Any alarm user which has four or more false alarms within a six-month period, and who fails to take any corrective action regarding the continued occurrence of false alarms shall, in addition to any civil penalties imposed under this Chapter, be guilty of a misdemeanor.~~

~~(ea)~~ A service fee is hereby imposed for the third and any subsequent false alarms on a physical duress or intrusion alarm system during a rolling twelve month period to which peace officers, including the fire department, respond. The fee is assessed to the user of the alarm system. The amount of the fee shall be as set forth in the Consolidated Fee Schedule.

~~(db)~~ The maximum service fee that may be charged under this Section based on the typical response by alarm user type is as follows:

- (1) Residential (one or two family homes), two units
- (2) Small business, two units
- (3) Large commercial business, apartment complexes and financial institution, four units.

~~(ec)~~ All service fees assessed under this Chapter are due and payable on the date written notice of any fee due is issued by the Finance Department. Penalties for delinquent fees shall be as set forth in the Consolidated Fee Schedule. If any service fee is not paid within 120 days of the due date together with all applicable penalties, the City may use such lawful means as are available to collect such fee, including all penalties, costs and attorney's fees.

**Section 07-12-~~110070~~** **Interagency Communications.** A central station or other alarm dispatch center must provide the Police/Fire dispatch a toll-free telephone number for the conducting of business and contacting the central station dispatchers at the time of filing the alarm report.

**Section 07-12-~~120080~~** **Deliberate False Alarms.** No person shall cause to be transmitted any notice of an intrusion, physical duress or fire alarm trip, knowing the same to be false or without basis in fact. Central stations shall not request law enforcement officers or the fire department to respond to alarm scenes when monitoring equipment indicates an alarm system malfunction signal.



| **Section 07-12-~~130090~~** **Business License Revocation.** Failure to timely pay any service fees imposed in this Chapter may result in the coordinator initiating action to revoke the business license of the alarm business.

**Affidavit of Posting**

**SALT LAKE/UTAH COUNTY, STATE OF UTAH**

I, the City Recorder of Draper City, by my signature below, certify that copies of **Ordinance No. 1179** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 1<sup>st</sup> day of December, 2015**, was posted at the following places: Draper City Bulletin Board, Salt Lake County Library, Draper Crescent Senior Citizens Center, within the municipality.

**Posted:** December 3, 2015, through December 23, 2015

City Seal



A handwritten signature in blue ink, appearing to read "Rachelle Conner", is written over a horizontal line.

Rachelle Conner, MMC  
City Recorder  
Draper City, State of Utah