



# City of Grand Island

Tuesday, March 28, 2006

Council Session

## Item F4

**#9037 - Consideration of Amendments to Chapter 3 of the Grand Island City Code Relative to Alarms**

Staff Contact: Doug Walker

# Council Agenda Memo

**From:** Douglas R. Walker, City Attorney

**Meeting:** March 28, 2006

**Subject:** Revisions to Chapter 3 of the Grand Island City Code  
Relative to Alarm Systems

**Item #'s:** F-4

**Presenter(s):** Douglas R. Walker, City Attorney

## Background

One of the goals set this year by Administration, the Mayor and the City Council was to revise the Grand Island City Code. As part of the effort to update the City Code, the code revision committee has met and discussed changes to Chapter 3 regarding alarm systems.

## Discussion

The code revision committee and the communications division of the Emergency Management Department have met and as a result of these discussions, the following changes have been recommended:

- Sections 3-2 and 3-3 have been revised to reflect the current title of the agency handling alarm systems, which is the Communications Division of the Emergency Management Department the prior code stated only the Emergency Management Department.
- Sub-section Section 3-3 has been deleted because the language in this section is no longer applicable since it dealt with issues that occurred more than twenty years ago.
- Sections 3-4 and 3-5 have been revised since these code provisions relate to alarm systems to be installed and due to the extensive period of time since 1982, it was felt by the committee that it was unnecessary to make reference to this date.
- Section 3-7 has been revised to reflect a more concise statement of the penalty for violating provisions of this chapter of the City Code to reflect that a violation is a misdemeanor.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve the revisions to the City Code as drafted by city staff.
2. Disapprove or deny the ordinance which would revise the City Code in which event the current provisions of the code would remain in effect.
3. Modify the recommendations of city staff for changing the City Code.
4. Take no action on the issue.

## **Recommendation**

City Administration recommends that the Council approve the changes recommended by city staff to Chapter 3 of the City Code.

## **Sample Motion**

Motion to approve the ordinance revising code sections 3-2, 3-3, 3-4, 3-5 and 3-7 of the Grand Island City Code.

ORDINANCE NO. 9037

An ordinance to amend Chapter 3 of the Grand Island City Code; to amend Sections 3-2, 3-3, 3-4, 3-5 and 3-7 pertaining to housekeeping issues; to repeal Sections 3-2, 3-3, 3-4, 3-5 and 3-7 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Section 3-2 of the Grand Island City Code is hereby amended to read as follows:

**§3-2. Duties of Subscriber and of Vendor**

(1) Duties of Subscriber. It shall be the responsibility of each subscriber to see that the standards of installation and maintenance set forth in this chapter are adhered to.

(2) Duties of Vendor. It shall be the responsibility of any vendor causing installation of or maintaining an alarm system to cause such installation or maintenance to conform to the requirements of the Fire Code and the Electric Code applicable in the City of Grand Island, Nebraska.

(3) Duties of Subscriber and Vendor. Each alarm system shall be utilized only for the purposes of summoning the Public Safety personnel for emergency and/or life hazard situations. Without the prior express consent of the Communications Division of the Emergency Management Department, systems shall not be tested so as to transmit a signal to Public Safety personnel when an emergency or life hazard situation does not exist. It shall be the responsibility of each subscriber and also each vendor not to make such tests.

SECTION 2. Section 3-3 of the Grand Island City Code is hereby amended to read as follows:

**§3-3. Standards Required For Alarm Systems**

(1) Notification. Each subscriber must provide to the City of Grand Island on a form provided by the Communications Division of the Emergency Management Department the name, address, and telephone number of the subscriber and of the vendor, if any, with whom the subscriber has contracted for maintenance of the alarm system. Each subscriber shall also provide the City with the names, addresses, and phone numbers of those persons (not less than two) who can be contacted 24 hours a day and seven days a week to turn off or deactivate an alarm system. It shall be the obligation of the subscriber to keep this information current and correct through supplementary notifications filed from time to time on the same form.

(2) Designated Telephone Lines. No person shall use or cause to be used an alarm system or device of any kind that automatically dials or calls any telephone line of the offices of the City of Grand Island or any department or division thereof except such telephone line or lines as may be designed by the Communications Division of the Emergency Management Department of the City for the specific purpose of receiving signals from alarm systems.

(3) Automatic Dialing or Calling Devices. Alarm systems that automatically dial or call a telephone line designated by the Communications Division of the Emergency Management Department shall comply with the following requirements:

ORDINANCE NO. 9037 (Cont.)

(A) Total length of the recorded message being transmitted to the Communications Division of the Emergency Management Department (including repetition of message) shall not exceed 30 seconds duration.

(B) The recorded message transmitted shall be repeated not less than two nor more than three times.

(C) The recorded message being transmitted shall incorporate language specifically identifying the message as a "recording" with the balance of the message identifying by street number and street name the location of the emergency and the nature of the event which caused the alarm system to activate. If the location of the event signaled by the alarm system is in a multi-family building or a multi-unit office or commercial building, the message shall also identify by number and by floor the particular dwelling unit, office unit, or commercial unit in which the event occurred.

(D) The recorded message being transmitted to the department shall be appropriate for the purpose for which the alarm system was installed, and the message in its entirety shall be intelligible and spoken in the English language.

(E) The City of Grand Island's cost of providing monitoring and telephone lines designated for alarm systems that use automatic dialing or calling devices, including any re-occurring fees charged, shall be paid in advance each year to this City by the subscribers. The fee shall be in accordance with the City of Grand Island Fee Schedule. If payment is not received within thirty days after billing, the system must be disconnected immediately in the manner described in §3-5(3).

(4) Digital Alarm Systems. Subscribers to alarm systems that automatically transmit digital data via common telephone line to a receiving unit located at the Communications Center shall pay a digital alarm system monitoring fee, in advance, in accordance with the City of Grand Island Fee Schedule.

(5) Supervised (Dedicated line) Alarm Systems. Subscribers that automatically transmit alarm conditions via dedicated telephone line to a receiving unit at the Communications Center shall pay a supervised (dedicated line) alarm system monitoring fee, in advance, in accordance with the City of Grand Island Fee Schedule.

(6) Video (Live) Alarm Systems. Subscribers that transmit continuous video to a receiving unit at the Communications Center for the purpose of monitoring a premise shall pay a video (live) alarm system monitoring fee, in advance, in accordance with the City of Grand Island Fee Schedule.

~~(7) Application of Standards to Existing and Future Alarm Systems.~~

~~(A) Every new system installed after May 10, 1982, shall comply with the above standards.~~

~~(B) Every alarm system existing before May 10, 1982, shall be placed in compliance with the above standards no later than June 2, 1987. The Emergency Management Department may elect not to respond to any alarm system that is not in compliance within that time period, or may elect to charge each subscriber not in compliance for each response at a rate in accordance with the City of Grand Island Fee Schedule.~~

SECTION 3. Section 3-4 of the Grand Island City Code is hereby amended to

read as follows:

**§3-4. Standards For ~~Future~~ Alarm Systems**

Systems installed ~~after May 10, 1982,~~ shall comply with the following standards as to installation and maintenance (and, in addition, shall also comply with the standards set forth in §3-3):

(1) Alarm systems must incorporate a device that allows an adequate delay before the time at which activation of the system would directly or indirectly signal Public Safety personnel, or signal other parties who in turn might be expected to notify Public Safety personnel. This delay is to permit the subscriber to stop a false alarm from being transmitted.

(2) The alarm system shall incorporate a device that limits any exterior signal to a period of time not to exceed fifteen minutes in duration. At the expiration of the maximum time permitted, the alarm system shall automatically cease to emit a signal.

ORDINANCE NO. 9037 (Cont.)

SECTION 4. Section 3-5 of the Grand Island City Code is hereby amended to read as follows:

**§3-5. Excessive False Alarms**

If any alarm system produces three false alarms in any twelve consecutive months, written notice of that fact shall be given by certified mail or delivery to the subscriber, or other appropriate party listed in the notification required in §3-3(1) at the addresses listed in the most recent such notification for that alarm system. Thereafter, the Communications Division of the Emergency Management Department shall have the power to require the subscriber to comply with any one or combination of the requirements set forth below as would minimize, such false alarms in the future:

(1) The subscriber may be charged a fee in accordance with the City of Grand Island Fee Schedule. Such charges shall continue for each excessive false alarm until six consecutive months have elapsed during which no false alarms have been registered, and must be paid within 15 days after notice thereof is given in the same manner as provided by this section for notice of excessive false alarms.

(2) The subscriber may be required to cause the alarm system to comply immediately with the applicable standards referred to in §3-4 ~~(those standards otherwise being imposed only on alarm systems installed after May 10, 1982).~~

(3) The subscriber may be required to disconnect the alarm system immediately in such fashion that signals are not emitted so as to notify Public Safety personnel directly or indirectly through automatic telephone recording devices or to register a signal which is so audible, visible, or in other ways perceptible outside a protected building, structure, or facility as to notify persons in the neighborhood who may in turn notify Public Safety personnel of the signal.

SECTION 5. Section 3-7 of the Grand Island City Code is hereby amended to read as follows:

**§3-7. Penalty**

~~Any person in violation of this chapter of the city code shall be deemed to have committed a misdemeanor.~~

~~(1) Any person in violation of §3-2 shall be deemed to have committed a misdemeanor.~~

~~(2) Any person who fails to adhere to the standards and otherwise comply with §3-3 or 3-4 shall be deemed to have committed a misdemeanor.~~

~~(3) Any person who fails to comply with the specific direction of the Department of Communications and Civil Defense director as provided for under §3-3(7)(b) or §3-5 shall be deemed to have committed a misdemeanor.~~

SECTION 6. Sections 3-2, 3-3, 3-4, 3-5 and 3-7 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 7. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

ORDINANCE NO. 9037 (Cont.)

SECTION 8. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: March 28, 2006.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk