

**NEW SCANIDA TOWNSHIP
ORDINANCE NUMBER 63**

AN ORDINANCE REGULATING FALSE ALARMS

The Town Board of New Scandia Township, Washington County, Minnesota, hereby ordains:

Section 1. Purpose. The purpose of this ordinance is to encourage security, fire or medical alarm users and alarm businesses (including, but not limited to sales, installation and/or monitoring) to maintain the operational reliability and the proper use of alarm systems so as to limit unnecessary police, fire and emergency medical responses to false alarms and alarm malfunctions.

This ordinance governs burglary, robbery, intrusion, fire and medical emergency false alarms, provides for service fees for excessive false alarms and provides for issuance of citations for violations hereof.

Section 2. Definitions.

1. "Alarm Site" means a single premises or location, or a multi-tenant location, served by an alarm system or systems.
2. "Alarm System" means any mechanical, electrical or radio controlled device or system which is designed to emit, transmit or relay a signal or message and which when activated is intended to summon or would reasonably be expected to summon police, fire or emergency medical services. Alarm system does not include:
 - a. An alarm installed on a vehicle, unless the vehicle is permanently located at a site; or
 - b. An alarm designed to alert only the inhabitants of a premises, and which does not constitute a local alarm.
3. "Alarm User" means the person, firm, partnership, association, corporation, company or organization in control of any building, structure or facility where an alarm system is maintained.
4. "False Alarm" means an alarm signal eliciting a response by police or fire personnel when a situation requiring a response does not, in fact, exist and which is caused by the activation of the alarm system through mechanical failure, alarm malfunction, improper installation or the inadvertence or deliberate acts of the owner or lessee of an alarm system or of his/her employees or agents. False alarms do not include alarms caused by climactic conditions such as tornadoes, thunderstorms, utility line failures, violent conditions of nature or any other conditions which are clearly beyond the control of the alarm manufacturer, installer, owner or user.

5. "Warning Notice" means a notification provided to the owner or person in charge of an alarm by police or fire personnel for false alarms.

Section 3. Warning Notice. A warning notice shall be issued by police or fire personnel as may be appropriate for false alarms. The warning notice will require that the alarm system be inspected and/or serviced within five (5) working days with written documentation to the notifying office that the system is in working order.

Section 4. Service Fee. There is hereby imposed a fee on the user if any false alarms occur with a frequency of greater than three (3) within a twelve month period. Each false alarm in excess of three (3) and up to and including six (6) within a twelve month period shall result in a service fee of \$50.00 for each false alarm. Each false alarm in excess of six (6) within a twelve month period shall result in a service fee of \$100.00 per false alarm.

Section 5. Payment of Service Fees. Service fees must be paid to the Town Clerk within thirty (30) days from the date of notice by the appropriate personnel to the alarm user. Failure to pay the fee within thirty (30) days shall cause the alarm user to be considered delinquent and subject to a penalty of ten percent (10%) of the fee. All delinquent charges for service fees shall be a lien on the premises. All such charges which are on September 30th of each year more than forty-five (45) days past due shall be certified by the Town Clerk to the County Auditor to be paid in the same manner as other taxes and collected by the County Treasurer and paid to the Town with other taxes.

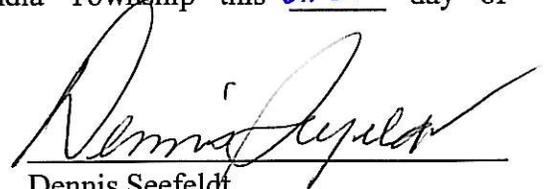
Section 6. Violation. An alarm user is in violation of this ordinance if such user suffers or permits false alarms in excess of three (3) within a twelve month period, each such additional false alarm constituting a separate violation or fails to pay when due the service fee imposed by this ordinance.

Section 7. Misdemeanor. Any alarm user who fails to comply with the provisions of this ordinance is guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than \$750.00 or imprisonment for a term not to exceed ninety (90) days or both, plus in either case, the cost of prosecution. In the event of a violation or a threatened violation of this ordinance the Town may institute appropriate action or proceedings, including requesting injunctive relief to prevent, restrain, correct, or abate such violation or threat of violation.

Adopted by the Town Board of New Scandia Township this 21st day of July, 1998.

ATTEST


Dolores Peterson
Clerk


Dennis Seefeldt
Chairman