

CHAPTER 93 (ALARM SYSTEMS)

AN ORDINANCE TO AMEND SECTIONS 7:400, 7:402, 7:403, 7:404, 7:405, 7:406, 7:407, 7:408, AND 7:409 OF CHAPTER 93 (ALARM SYSTEMS) OF TITLE VII OF THE CODE OF THE CITY OF ANN ARBOR.

The City of Ann Arbor ordains:

Section 1. That Section 7:400 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be amended as follows:

7:400. Intent and purpose.

The intent of this chapter is to provide emergency dispatch centers, the Fire Department, and the Police Department with accurate and current information on file when summoned and to encourage alarm owners to maintain their systems so that they are reliable and have minimal false activations.

This chapter governs alarm systems intended to summon the Fire Department and Police Department response, ~~and requires registration~~, establishes fees, provides for penalties for violations, ~~and~~ establishes a system of administration, ~~and sets conditions for suspension or loss of registration.~~

Section 2. That Section 7:402 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be deleted in its entirety as follows:

~~7:402. Registration required; application; fees; installation; transferability; false statements.~~

- ~~(1) A valid alarm registration issued by the city is required to use or operate, attempt to use or operate or arrange, adjust, program or otherwise install any electric board, control system, device or devices that will, upon activation, either mechanically, electronically, or by other means, automatic or otherwise, initiate the intrastate or interstate calling, dialing, or connection either directly or indirectly, to any telephone number or electronic address assigned to the Fire Department or the Police Department, or to any other monitoring device operated by the city. A separate registration is required for each alarm site. The Police Department shall manage the alarm registration process and shall receive fees for administering the process.~~
- ~~(2) All alarm system installed or operated in the city shall be installed by an alarm system contractor licensed by the State of Michigan under Public Act 330 of 1968, as amended.~~
- ~~(3) The annual fee for a registration and registration renewal for an alarm site shall be established by resolution of City Council. Council may by resolution establish a late fee for delinquent registration renewal. No refund of a registration or registration renewal fee will be made.~~

- ~~(a) The initial annual registration fee must be submitted to the city within 5 days after the alarm installation. No alarm shall be registered or registration renewed unless and until the applicant has paid all fees owing.~~
- ~~(b) Notwithstanding (3)(a) above, upon proof of financial hardship, the Administrator may authorize the registration fee to be paid in installments, reduced or waived. To qualify, an applicant shall provide the Administrator with:
 - ~~i. Financial information (income and expenses) and documentation of any special circumstances for examination. Evidence supporting financial hardship shall be submitted by the applicant in conjunction with alarm registration.~~
 - ~~ii. Requests for a financial hardship fee waiver, reduction or installment payments will be evaluated on a case-by-case basis. The City Administrator's decision is final. A hardship waiver of, reduction of, or installment payments for a registration fee expires when the registration expires, at which time subsequent fees must be paid at the established charge and schedule under this chapter or another financial hardship request must be submitted and documented as stated above.~~~~
- ~~(4) Application for an alarm registration must be on a form and in the manner prescribed by the city. At minimum, each alarm registration applicant must provide the following information:
 - ~~(a) The name, complete address (including apt./suite #) and telephone numbers of the person who will be the registration holder and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this chapter;~~
 - ~~(b) The classification of the alarm site as either residential (includes condo), commercial or apartment;~~
 - ~~(c) For each alarm system located at the alarm site, the classification of the alarm system (i.e., burglary, holdup, duress, or other) and whether audible or silent;~~
 - ~~(d) Mailing address if different from the alarm site;~~
 - ~~(e) Type of business conducted at the alarm site;~~
 - ~~(f) Any dangerous or special conditions present at the alarm site;~~
 - ~~(g) Name and telephone numbers of at least 2 individuals who are able and have agreed to receive notification of an alarm activation at any time; respond to the alarm site within 30 minutes; and upon request can grant access to the alarm site and deactivate the alarm system if such becomes necessary;~~
 - ~~(h) The name, phone number, and address of the alarm company monitoring the alarm system;~~~~

- ~~(i) Any other information determined to be necessary for the proper response by the city to an alarm.~~
- ~~(5) An alarm registration cannot be transferred to another person or alarm site.~~
- ~~(6) Any false statement of a material fact made by an applicant for the purposes of obtaining an alarm registration shall be sufficient cause for refusal to issue a registration.~~

Section 3. That Section 7:403 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be deleted in its entirety as follows:

~~7:403. Registration duration and renewal.~~

~~A registration shall expire on December 31 of each year, and must be renewed on an annual basis as long as the alarm system is operational by submitting an updated application and a registration renewal fee to the city. It is the responsibility of the alarm user to submit an application prior to the registration expiration date. Failure to renew will be classified as use of a non-registered alarm system and citations and penalties may be assessed without waiver.~~

Section 4. That Section 7:404 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be amended to read as follows:

7:40~~23~~²⁴. Duties of alarm user and alarm companies; prohibited activities.

(1) Alarm user shall:

- (a) Maintain the alarm system which, when activated, does not cause an audible or visible signal which can be heard or seen outside the premises and which is disturbing to the peace and quiet of the surrounding area; and
- (b) Maintain the premises and the alarm system in a manner that will minimize or eliminate false alarms; and
- (c) Make every reasonable effort to respond or cause a representative to respond to the alarm system's location within 30 minutes when notified by the city to deactivate a malfunctioning alarm system, to provide access to the premises, or to provide alternative security for the premises; and
- (d) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report; and
- ~~(e) Use the alarm system pursuant to a permit issued by the city and in accordance with the provisions of this chapter.~~

(2) Alarm companies.

- (a) Effective July 1, 2010, Central Station Alarm Association (CSAA)-approved Nationally Recognized Testing Laboratory (NRTL) standards or equivalent before activating any alarm system, all alarm companies that install alarm

systems shall provide written and oral instructions to each of its alarm users detailing the proper use and operation of their alarm system. Such instructions will specifically include all instructions necessary to turn the alarm system on and off, how to avoid false alarms and how to cancel false alarms with the monitoring company.

- (b) All alarm companies that install alarm systems shall provide a written copy of the city's false alarm ordinance and the fee structure for assessment of false alarm reports to each of its alarm users in the city.
 - (c) No alarm company that installs alarm systems shall use, install or assist in the operation of an alarm system that contains or uses an automatic telephone dialing device that directly connects to the Fire Department or the Police Department.
 - (d) Any alarm company that monitors or responds to an alarm system shall, at minimum:
 - i. Provide to the city a local telephone number or a toll-free number by which a representative of the company can be reached 24 hours a day/7 days a week. If this telephone number changes, the alarm company shall immediately notify the city of the new telephone number.
 - ii. Verify any alarm by calling a minimum of 2 telephone numbers supplied by the alarm user, 1 of which shall be at the alarm site. A record of all verification attempts shall be kept by the alarm company for a period of 1 year and shall be made available to the city upon request.
- (3) ~~No person~~Persons engaged in the business of installing, leasing, maintaining, repairing, replacing or servicing alarm systems: ~~shall:~~
- (a) ~~Must not R~~represent to anyone that any of the equipment they sell or service has been tested or in any way approved by the City of Ann Arbor.
 - ~~(b) Install an alarm system unless a valid permit is in effect.~~
 - ~~(be)~~ Must Obtain all permits, licenses and inspections required by law, and comply with all applicable statutes, ordinances and regulations.

Section 5. That Section 7:405 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be amended to read as follows:

7:4035. False alarms penalties and enforcement.

False alarms are prohibited and deemed a public nuisance. Whenever the Fire Department or the Police Department responds to a false alarm, the person whose property is served by the alarm system shall pay a false alarm response fee in an amount established by resolution of City Council. Each occurrence shall be considered a separate offense chargeable to the alarm user. In addition to authority to abate the public nuisance provided by City Charter or ordinance and impose penalties as set forth in this chapter, the Fire Department or the Police Department responding to a false alarm shall have the authority to undertake reasonable measures to deactivate the

alarm system, where necessary, in order to stop the audible or visible signal being emitted by the alarm system.

False alarms that the Fire Department responds to shall be billed through processes as determined by the Fire Department at a flat rate as approved City Council.

False alarms that the Police Department responds to shall be billed through processes as determined by the Police Department at a flat rate as approved City Council. ~~Police Department invoices shall also include an additional fee for alarm users who failed to have current registration.~~

A request for financial hardship waiver in connection with payment of a false alarm response fee must be submitted within 10 days of presentation of a bill for the fee. Upon proof of financial hardship, the City Administrator may authorize a false alarm response fee adopted by City Council under this chapter to be paid in installments or reduced. Evidence supporting financial hardship must be submitted by the alarm user. Financial information (income and expenses) and special circumstances must be fully documented and will be examined and considered for a financial hardship. The City Administrator's decision is final.

Section 6. That Section 7:406 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be amended to read as follows:

7:4046. Right to suspend response; reinstatement.

The Chiefs of Police and Fire, or their respective designees, may discontinue alarm response by their departments to any location that is:

- (1) Responsible for 5 or more false alarms within a 12-month period; or
- (2) To a location that uses an alarm system installed or operated by a business that is not licensed by the State of Michigan; or
- ~~(3) To an alarm site where a person has failed to obtain a permit after being notified to do so; or~~
- (34) To an alarm site where an alarm user has failed to comply with a mandated inspection as required in section 7:404(1)(d) or fails to provide documentation that defective equipment has been repaired within 45 days of being notified to do so; or
- ~~(45)~~ For failure to pay a fee or fine assessed under this chapter.

Written notification that the city will no longer respond to alarm calls from a particular location will be sent to the alarm user and, if there is one, the alarm company contact person of record.

Reinstatement of Fire Department or Police Department alarm response may resume upon proof that the alarm user and/or alarm company responsible for the alarm has corrected the reason for the false alarms or other occurrence of non-compliance to the satisfaction of the city and all fees and penalties incurred as the result have been

paid or an undue financial hardship waiver has been granted ~~and the alarm user has obtained an alarm permit.~~

Section 7. That Section 7:407 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be amended to read as follows:

7:40~~5~~7. Appeals.

If the ~~city denies the issuance or renewal of an alarm permit, or the~~ Chiefs of Police or Fire suspends response, a written notice of the action and a statement of the right to appeal ~~to~~ shall be sent either to the applicant or the alarm user and its alarm company.

An applicant or alarm user may file a written appeal setting forth the reasons for the appeal of a suspension or request for issuance or reinstatement to the City Administrator. An appeal must be filed within 10 days after receipt of the suspension ~~or denial of issuance/renewal~~, and include all information necessary to make a determination and be signed. A request for undue financial hardship waiver in connection with an appeal must be submitted at the same time as the written appeal. Evidence supporting financial hardship must be submitted by the applicant or alarm user. Financial information (income and expenses) and special circumstances must be fully documented and will be examined and considered for a financial hardship. The filing of an appeal with the City Administrator stays the suspension until the City Administrator makes a final decision.

The City Administrator may affirm, modify, or set aside the decision to suspend response. ~~the denial of the issuance or renewal of an alarm permit or response suspension.~~ The City Administrator's decision is final.

City Council may set an appeal fee by resolution. Said fee shall accompany the appeal by the alarm user. Appeal fees will be returned to the alarm user if the appeal is upheld.

Section 8. That Section 7:408 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be amended to read as follows:

7:40~~6~~8. Penalty.

- (1) Except where otherwise provided, a violation of any provision of this chapter is a civil infraction punishable by a fine of not more than \$500.00 plus court costs plus costs of prosecution.
- (2) Any person who provides false information or information in reckless disregard for the truth within any ~~alarm registration application form, alarm renewal form, or~~ documentation required under the provisions of this chapter shall be guilty of a misdemeanor punishable by either 90 days in jail and/or a \$500.00 fine plus costs or both.
- (3) Enforcement. In addition to ordering the defendant determined to be responsible for a civil infraction to pay a civil fine, costs, damages and expenses, the judge or

magistrate shall be authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation of this chapter.

- (4) Continued offense. Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.
- (5) Remedies not exclusive. In addition to any remedies provided in this chapter, any equitable or other remedies may be sought.

Section 9. That Section 7:409 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor be amended to read as follows:

7:407~~9~~. No liability of city.

The city assumes no liability for any defects in the operation of any alarm system, for any failure or neglect of any person associated with the installation, operation or maintenance of any alarm system, for any failure or neglect of any alarm user, for the transmission or receipt of alarm signals or any failure or neglect to respond upon receipt of an alarm from any source. ~~In the event that the city finds it necessary to revoke an alarm registration permit or to otherwise provide for the disconnection of any alarm system, the city shall have no liability for such action.~~ No special duty other than that owed to the general public shall be created by virtue of this chapter ~~or by virtue of the issuance of or renewal of an alarm registration permit.~~

Section 10. Severability.

The various sections and provisions of this ordinance shall be deemed to be severable and should any section or provision of this ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of this ordinance as a whole or any section or provision of this ordinance other than the section or provision so declared to be unconstitutional or invalid.

Section 11. This ordinance shall take effect after publication and in fully force and effect on January 1, 2026.