

ORDINANCE NO. 560

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR AN ALARM SYSTEM IN THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA; ESTABLISHING A FEE FOR THE POSSESSION AND USE OF AN ALARM SYSTEM; ESTABLISHING A PENALTY FOR VIOLATION OF THIS ORDINANCE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA:

SECTION 1. ALARM SYSTEMS; DEFINITIONS. The following definitions shall apply to the interpretation and enforcement of this Article:

a. Alarm System is any mechanical or electrical devise that is arranged, designed, or used to signal the occurrence in the City of Gothenburg of a burglary, robbery, or other criminal offense, fire emergency, or medical emergency requiring urgent attention and to which law enforcement, fire, or emergency medical personnel are expected to respond. Alarm systems include, but are not limited to, those through which public safety personnel are notified directly of such signals through automatic recording devices and those which are connected to out-of-town security agencies, which then call the City's 911 Center by telephone. This definition shall not include alarm systems in private dwellings or residences, nor shall

it include telephone calls from private individuals concerning a possible burglary, robbery or other criminal offense, fire emergency, or medical emergency requiring urgent attention and to which law enforcement, fire, or emergency medical personnel are expected to respond.

b. Alarm user is any person, firm, corporation, partnership, or entity who or which purchases, leases, contracts for, or obtains an alarm system.

c. Alarm Vendor is any person, firm, corporation, partnership, or entity associated with an alarm business or company, either indirectly or directly whose duties include but are not limited to any of the following: selling, replacing, moving repairing, maintaining, or installing an alarm system on or in any structure, building or facility.

d. New or Altered Alarm System is an alarm system which has installed a different or additional method of detection the previous alarm system did not contain.

Section 2. ALARM SYSTEMS; RESPONSIBILITIES OF THE ALARM USER AND OF THE VENDOR.

a. Responsibilities of the Alarm User. It shall be the responsibility of each alarm user to insure that the standards of installation and maintenance set forth in this Article are maintained. All burglar alarm systems connected to the Public Safety Emergency Center must be tested at least once a month. All fire alarm systems connected to the Public Safety Emergency Center must be tested four times a year on a quarterly basis. Without the prior, express

consent of the Fire or Police Department, systems shall not be tested so as to transmit a signal to public safety personnel.

b. Responsibilities of the Alarm Vendor. It shall be the responsibility of any alarm vendor installing 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 to the City of Gothenburg, Nebraska.

c. Responsibilities of Alarm User and alarm Vendor. Each alarm system shall be utilized only for the purpose of summoning the public safety personnel for emergency and/or life hazard situations.

Section 3. ALARM SYSTEMS; STANDARDS REQUIRED FOR BOTH EXISTING AND FUTURE ALARM SYSTEMS.

a. Notification. Each alarm user must provide to the City of Gothenburg on a form provided by the Police Department, the name, address, and telephone number of the alarm user and of the vendor, if any, with whom the alarm user has contracted for maintenance of the alarm system. Each alarm user shall provide the City with the name and address of the individual to whom legal notices should be sent. Each alarm user shall also provide the City with the names, addresses and telephone numbers of those persons (not less than two who can be contacted to turn off or deactivate an alarm system. It shall be the obligation of the alarm

user to keep this information current and correct through supplementary notification filed on the same form.

b. application of Standards to Existing and Future Alarm Systems.

1. Every new system installed after the passage of this Ordinance shall comply with this Article.

2. Every alarm system existing before the passage of this Ordinance shall be placed in compliance with this Article no later than thirty days after such passage date.

Section 4. ALARM SYSTEMS; PERMITS.

a. Alarm System Permits. there is a ten dollar permit fee for all alarm systems to cover administrative costs. A permit must be obtained within thirty days of installation of a new or altered system. Permits, including renewals of permits, are due by all alarm system users by September 1 of each year.

If permits are not obtained on or before September 30 of each year, they are deemed delinquent. There is an additional five dollar charge for delinquent permits. If a permit is not obtained on or before October 15 of each year, charges may be filed in County Court against the individual responsible for the alarm system. Failure to obtain a permit is a misdemeanor. The penalty for not obtaining a permit is one hundred dollars. Each day the alarm user operates without a valid permit shall be deemed a separate offense.

b. Alarm Vendor Permits. There is a twenty dollar permit fee for all alarm vendors. A permit must be obtained within thirty days of the alarm vendor beginning business within the City. Permits, including renewals of permit, are due by all alarm vendors by September 1 of each year.

If permits are not obtained on or before September 30 of each year, they are deemed delinquent. There is an additional five dollar charge for delinquent permits. If a permit is not obtained on or before October 15 of each year, charges may be filed in County Court against the vendor. Failure to obtain a permit is a misdemeanor. The penalty for not obtaining a permit is one hundred dollars. Each day the alarm vendor operates without a valid permit shall be deemed a separate offense.

c. Alarm Systems Permits and Alarm Vendor Permits shall be purchased from ~~the~~ Gothenburg Police Department.

Section 5. ALARM SYSTEMS; NO LIABILITY ON PART OF THE CITY. Nothing in this Article nor the existence of any other fact shall be construed to require a response by public safety personnel to an address or a location registering an alarm. The city shall neither assume nor bear any liability for its failure to respond to such an alarm signal.

Section 6. ALARM SYSTEMS; PENALTY. Any person in violation of this Article shall be deemed to have committed a misdemeanor. Unless otherwise specified in the

particular Section for which the person stands convicted of violating, the penalty for such violation shall be one hundred dollars. Each day any person shall be in violation of these Sections shall be deemed a separate offense.

Section 7. The City Council, may by resolution establish fees for the monitoring of alarm systems by the police department of the City of Gothenburg.

Section 8. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 9. This ordinance shall take affect from and after its passage, approval and publication according to law.

DATED: 10-2-90

CITY OF GOTHENBURG, DAWSON  
COUNTY, NEBRASKA

BY Eldon Lepp  
Eldon Lepp, Mayor

ATTEST:

Connie Stull  
Connie Stull, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon,  
City Attorney