



**DRAFT**

## Ordinance of the Monroe County Commission

### Ordinance Pertaining to False Alarms in Monroe County, WV

#### **Definitions.**

**False Alarm:** The act of any activation of an alarm system where none of the emergencies for which the alarm system has been installed have in fact occurred or the finding thereof requiring a response from Emergency Services Personnel.

**Emergency Responders:** Personnel providing Law, Fire, and Emergency Medical Services, which have been summoned to a specified address due to automated alarm alert.

Home and business security alarms are generally a reliable source to secure and protect property and promptly notify emergency services of a minor problem up to saving lives.

However, false alarms occupy valuable time of dispatchers and various emergency responders. When this occurs, other services are cut short or delayed in response, which could jeopardize the well-being or life of a citizen or endanger the responder that is quickly traveling to the site of the alarm.

To assure property owners, maintain properly functioning alarm systems and in the interest of decreasing emergency personnel responding to the excessive false alarms, this ordinance permitted by WV State Code 7-1-3cc (3) (d), establishes a time limit and penalties for excessive false alarms.

It has been determined that more than two (2) false alarms per property within twelve (12) months is excessive and will result in a fine being charged to the property owner or company.

The 911 center records the occurrence of false alarms and will relay the information monthly to the Sheriff or senior deputy to evaluate and notify those with false alarms with a warning or fine.

Upon the first and second false alarm of a property within 12 months, a warning letter will be sent to encourage owners to check their system to prevent future false alarms, as well as informing them that future false alarms will result in a fine.



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Upon the third false alarm of a property within 12 months a fine of \$50.00 will be charged. Upon the fourth and subsequent false alarms of a property within 12 months a fine of \$100.00 will be charged and every event thereafter before which time a 12-month compliance has been reached. Funds accumulated from such fines will be deposited in the County General Fund for reimbursement of cost derived from false alarms in way of fuel and labor.

Civil non-criminal violation. A violation of any of the provisions of this ordinance shall be a civil violation and shall not constitute a misdemeanor or infraction.

If a property owner wishes to appeal a fine, the appeal may be requested within fifteen (15) days upon receipt for a hearing with Monroe County Commissioners at a regularly scheduled County meeting. Review and oversight by the Commission with both sides presenting, at which time will provide their decisions as final.

The records of false alarms shall be kept as other legal offence records are maintained by the sheriff's department.

Response to the security alarms, real or false, is always based upon availability of units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, and prior response history. As such, Monroe County response units and personnel are not held liable for delayed or unavailability to respond.

The provisions of this ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

This ordinance shall take effect on \_\_\_\_\_

1<sup>st</sup> Public Review \_\_\_\_\_

2<sup>nd</sup> Public Review \_\_\_\_\_

Planning Commission President \_\_\_\_\_

This date: \_\_\_\_\_

Acknowledges Motion of Passage by majority by Monroe County Planning Commission.



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Voting members present:

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_____	_____
_____	_____

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