

PREPARED BY:

VILLAGE OF CHANNAHON
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RECORDER'S STAMP

ORDINANCE NO. 11643

**AN ORDINANCE ADOPTING CHAPTER 98, ALARM SYSTEMS
FOR THE VILLAGE OF CHANNAHON, WILL COUNTY, ILLINOIS**

**ADOPTED BY THE
BOARD OF TRUSTEES
VILLAGE OF CHANNAHON**

THIS 21st DAY OF March, 2011

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF CHANNAHON, WILL AND GRUNDY COUNTIES, ILLINOIS**

THIS 21st DAY OF March, 2011

ORDINANCE NO. 1643

AN ORDINANCE ADOPTING CHAPTER 98,
ALARM SYSTEMS FOR THE VILLAGE OF
CHANNAHON, WILL COUNTY, ILLINOIS

WHEREAS, the Village of Channahon is an Illinois Home-Rule Municipal Corporation.

NOW, THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Channahon, Will and Grundy Counties, Illinois as follows:

Section 1. The Village of Channahon Code of Ordinances be and the same is hereby amended to include Chapter 98:

CHAPTER 98: ALARM SYSTEMS

Section

- 98.01 Definitions
- 98.02 Alarm installer regulation
- 98.03 Servicing of automatic alarms
- 98.04 Central stations
- 98.05 Automatic dialers
- 98.06 Emergency alarm installation registration
- 98.07 On-premises; outside ringers
- 98.08 Enforcement
- 98.09 False alarms
- 98.10 Noncompliance

§98.01 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALARM AGENT. Any person working for an alarm business.

ALARM BUSINESS. Any business or person who engages in the activity of altering, installing, leasing, maintaining, moving, repairing, replacing, selling, servicing or responding to an emergency alarm system or which causes any of these activities to take place.

ALARM USER. Any person or entity who owns or controls any premise where an alarm system is maintained, other than alarm systems on a motor vehicle.

ALARM/ALARM SYSTEM. Any signaling device which is electronically operated and which creates or transmits visual, audible or electronic signals indicating trouble such as

burglary, hold-up, fire or other emergency situation but does not include such devices on automobiles.

AUTOMATIC DIGITAL DIALING ALARM EQUIPMENT. An alarm system that has the capability of transmitting digital code signals to an alarm receiving board.

AUTOMATIC VOICE DIALING ALARM EQUIPMENT. An alarm system which automatically sends over regular telephone lines, by direct connect, wireless connection or otherwise, a prerecorded voice message indicating the existence of the emergency situation that the Alarm System is designated to detect.

CENTRAL STATION SYSTEM. A system in which the operation of electrical protection circuits and devices are signaled automatically to, recorded in, maintained and supervised from a place of business having trained operators in attendance at all times.

EMERGENCY ANSWERING SERVICE. A telephone answering service providing among its services the job of receiving on a continuous basis through trained employees, emergency signals from alarm systems and thereafter immediately relaying the message by live voice to the P.S.A.P.

FALSE ALARM. The activation of an alarm system through mechanical or electronic failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his or her employees or agents, except that the following shall not be considered ***FALSE ALARMS:***

- (1) Alarms caused by the failure or malfunction of the equipment located at the P.S.A.P.;
- (2) Alarms occurring on a repeated basis without apparent cause within the first 60 days after installation of the Alarm System, and where continuous effort, in the sole opinion of the Village Chief of Police or his or her designee, is being made by the Alarm User to correct the malfunction expeditiously;
- (3) Alarms caused by an attempted or actual illegal entry of which there is visible evidence;
- (4) Alarms caused by on-premises fire or smoke;
- (5) Alarms intentionally caused by a person acting under a reasonable belief that a need exists to call the Police Department or Fire Department; and
- (6) Alarms caused by inclement weather or natural disasters.

HARD WIRE ALARMS. Any alarm system which has the capability of transmitting system signals to and receiving them at a remote location over dedicated lines.

ON-PREMISES ALARM. An alarm system that audibly announces an emergency condition which may or may not be connected to any Central Station System.

P.S.A.P. Public Safety Answering Point, currently the Western Will County Communication Center.

POLICE AND FIRE COMPUTERIZED ALARM SYSTEM. The Alarm Monitoring and Control System located in Western Will County Communication Center.

REGISTERED ALARM BUSINESS. An alarm business that has registered with the Village as provided by this chapter.

§98.02 ALARM INSTALLER REGULATION.

(A) No Alarm System shall be installed or maintained in the village by an Alarm Business other than a registered alarm business. Alarm businesses shall register with the Police Department and provide such information as is required for such regulation.

(B) Each Alarm Business which sells, leases or installs an Emergency Alarm System in the village shall furnish the Alarm User with written instructions as to the way in which the system operates. He or she shall also provide initial training in the operation of the system and, upon request from the alarm user, shall provide refresher training. Each alarm business shall, upon request, exhibit to the Chief of Police for his or her review a copy of the instructions. If the Chief of Police or his or her designee finds that the instructions are incomplete, unclear or otherwise inadequate, he or she may require the alarm equipment supplier to have same revised.

(C) At the time of installation, each Alarm Business that sells, leases or maintains an alarm system in the village shall furnish to the Alarm User written information as to how service can be obtained, including the telephone number to call for service, and the Alarm User shall be responsible for having the Alarm System repaired as quickly as possible after a malfunction is detected.

§98.03 SERVICING ON AUTOMATIC ALARMS.

No Alarm Business shall perform any service on any Alarm System in the village without first notifying the police department or fire department, as applicable, and disconnecting the Alarm at the Alarm User's end and again notifying the police/fire personnel upon completion of the work.

§98.04 CENTRAL STATIONS.

No one shall operate a Central Station System or other emergency answering service in the village unless registered as an Alarm Business.

§98.05 AUTOMATIC DIALERS.

No person, firm, corporation or other entity shall use or cause or permit to be used or engage in the business of providing any telephone device or telephone attachment or other equipment that automatically activates 911 lines connected to any Public Safety Answering Point and then reproduce any voice message to report any robbery, burglary, fire or other emergency. Further, any Alarm User utilizing such telephone devices, telephone attachments or other equipment that automatically activates the aforementioned 911 lines shall have 30 days to cease and desist the practice.

§98.06 EMERGENCY ALARM INSTALLATION PERMIT.

(A) Any Alarm User, including on-premises Alarm Systems, must apply for and secure a permit for each alarm system from the Chief of Police on a form to be provided. Each application shall be signed by the applicant and shall include, among other things, the following:

- (1) Name, address and telephone number of the establishment where the Alarm is located;
- (2) Name, address and telephone number of the owner or other responsible individual;
- (3) Hours of operation of business establishments;
- (4) List of persons, a minimum of three is preferred, authorized access to the business establishments during non-business hours;
- (5) Procedure to be followed in the event of an Alarm activation;
- (6) Emergency call list of personnel to notify in the event of an alarm activation;
- (7) Description and location of the Alarm on the premises; and
- (8) The name and address of the Alarm Business monitoring and/or maintaining the alarm.

(B) An Alarm System permit may be revoked by the Chief of Police under following circumstances:

- (1) More than six false alarms are recorded in a calendar year from any alarm system for which a permit has been issued;

(2) Failure to comply with any of the provisions of this chapter within ten days after receiving notification of the violation, in writing, from the Chief of Police.

(C) The holder of an alarm permit shall be notified, in writing, 30 days prior to his or her permit being revoked and may request a hearing before the Village Administrator for the purpose of showing cause why his or her permit should not be revoked or other action taken.

(D) At the hearing before the Village Administrator, the permit holder or his or her authorized representative shall have the right to present evidence on their own behalf. After the hearing, the Village Administrator may either issue an order of revocation, withdraw the notice of revocation or suspend the permit until the time he or she is satisfied that the cause or causes of the false alarms have been eliminated or take other action as may be appropriate.

(E) Any person whose permit has been revoked pursuant to this section shall have the right, within ten days after receiving notice of revocation from the Village Administrator, to file a written appeal with the Village President. No Alarm User shall be required to discontinue use of his or her Alarm System prior to the expiration of the ten-day period. The appeal shall set forth the specific grounds on which it is based. The Village President shall hold a hearing on the appeal within 30 days after its receipt. At the hearing, the appellant or his or her designated representative shall have the right to present written or oral argument in support of his or her appeal. The Village President shall issue a decision within ten days after the hearing.

(F) Any Alarm User who operates an Alarm System without a permit as required by this section, or who, after having a permit revoked or suspended and after exhausting his or her rights to hearing and appeal, as provided in this chapter, fails to disconnect his or her Alarm System shall be in violation of this chapter.

(G) In addition to registering with the Police Department, each Alarm Business must be licensed by the Village pursuant to the Village's Business License Ordinance.

§98.07 ON-PREMISES; OUTSIDE RINGERS.

(A) No person or entity shall allow or cause to exist an Alarm with an outside ringer which emits an audible sound in any manner similar to emergency vehicles of the village. In addition, the sound shall also be distinguishable from any and all village alert systems disseminated in an audible manner.

(B)(1) All such outside ringers shall be equipped with an automatic shut-off which will deactivate within five minutes of the initial alarm. The alarm user owning or operating an outside ringer shall have six months from the date of this chapter to provide automatic shut-off.

(2) Failure to provide the shut-off may result in the suspension of the alarm permit and shall be a violation of this chapter.

§98.08 ENFORCEMENT.

(A) The authorized Village Officials shall have the authority to make inspections and take other steps necessary to enforce this chapter.

(B) If the inspection reveals any violations of the provisions of this chapter, a written report detailing the violation shall be promptly sent to the Alarm Business and the Alarm User. The report shall require the correction within 30 days after receipt of the notice of the violation discovered and shall state that a failure to comply may result in the revocation of the Alarm Business' license and/or in the revocation of the Alarm User's permit, in accordance with provisions of this chapter or other applicable Village Ordinance relating to revocation of licenses and registrations.

§98.09 FALSE ALARMS.

(A) Each Alarm User shall be responsible for any False Alarms transmitted by the device which they control, own or supervise.

(B) The Chief of Police shall maintain a record of all false alarms so transmitted and pursuant to the required notice and opportunity to be heard may revoke or suspend the permit for the operation of an Alarm System involved in the transmission of four false alarms in any one calendar year or may impose a False Alarm Fine as hereinafter provided.

(1) Alarm users may, within ten days of receiving a bill for false alarm fine, request to utilize the Village Act process.

(C) **False Alarm Fine.** The following shall be the fine for false alarms:

0 to 4 in any one year period

5 and above false alarms in any one year period - \$100.00 per false alarm

§98.10 NONCOMPLIANCE.

Any person, firm or corporation who violates, disobeys, omits, neglects or who resists enforcement of any of the provisions of this chapter, including provisions adopted by reference, or who refuses to remedy a violation of any such provision or to remedy violations of this chapter shall be fined as provided by Village Code. In addition, if Alarm users do not pay any false alarm fine as provided by this chapter such False Alarm Fine shall be considered the minimum fine to be imposed by a court of competent jurisdiction.

Section 2. Severability. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 3. Repealer. All ordinances, resolutions, orders or parts thereof, which conflict with the provisions of this Ordinance, is to the extent of such conflict, hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form.

PASSED this 21st day of March, 2011 with 4 members voting aye, 2 members voting nay, the President not voting, with 0 members abstaining or passing and said vote being:

MILITELLO aye

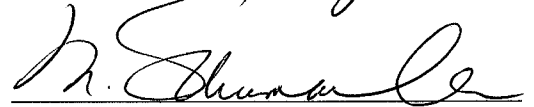
NASH aye

GRECO aye

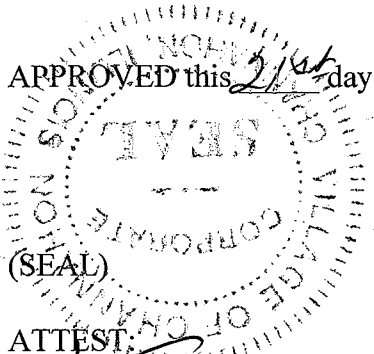
McMILLIN aye

SLOCUM aye

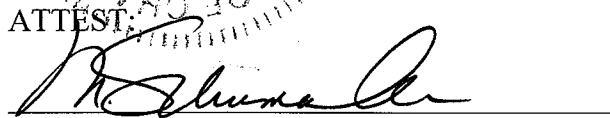
PAPESH aye


JANET SCHUMACHER, Village Clerk

APPROVED this 21st day of March, 2011.




JOSEPH COOK, Village President

ATTEST:

JANET SCHUMACHER, Village Clerk