
ARTICLE 1503
Public Safety Alarm System

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1503.01 TITLE

This Article shall be known as the Franklin Public Safety Alarm System Ordinance, and shall hereinafter be referred to as "this Article". (Ord. 4 of 1987, Sect. 1.1, Passed 5-4-87)

1503.02 DEFINITIONS

For the purpose of this Article, the following definitions shall apply unless it is apparent from the context that a different meaning is intended.

- a.) "Alarm System" means an assembly of equipment and devices, or a single device such as a solid state unit, which uses electrical energy to signal the presence of hazard requiring urgent attention such as a burglar, robbery, fire, smoke, or need for medical assistance within a building, structure or facility, or for alerting others to the commission of an unlawful act or hazard within the building, structure or facility and to which firemen, policemen or public safety officers are expected to respond, and which emits a sound or transmits a signal or message when actuated. "Alarm System" includes, but is not limited to, the terms "audible alarm system", "automatic hold-up alarm system", "burglar alarm system", "Fire Alarm System" and "manual hold-up alarm system" as those terms are hereinafter defined. Excluded from the definitions of "alarm system" are systems used solely to alert or signal persons within the premises in which the alarm system is located. (Ord. 4 of 1987, Sect. 2.1, Passed 5-4-87)
- b.) "Alarm User" shall mean any person, corporation, partnership or association owning, leasing, occupying or found in charge of any premises wherein an alarm system is located. (Ord. 4 of 1987, Sect. 2.2, Passed 5-4-87)
- c.) "Answering Service" means a telephone answering service providing the service of receiving emergency signals from an alarm system and thereafter relaying the emergency alarm by voice to the Public Safety Department, Police Department or Fire Department of the City of Franklin. (Ord. 4 of 1987, Sect. 2.3, Passed 5-4-87)
- d.) "Audible Alarm System" means an alarm system which generates an audible sound on the premises when it is actuated which sound can be heard by

persons not on the premises (although it may also be heard on the premises).
(Ord. 4 of 1987, Sect. 2.4, Passed 5-4-87)

- e.) "Automatic Hold-Up Alarm System" means an alarm system in which the signal transmission is initiated by the action of the robber or intruder. (Ord. 4 of 1987, Sect. 2.5, Passed 5-4-87)
- f.) "Burglar Alarm System" means an alarm system signaling an entry or an attempted entry in the area protected by the alarm system. (Ord. 4 of 1987, Sect. 2.6, Passed 5-4-87)
- g.) "Fire Alarm System" means an alarm system, signaling fire and/or smoke in the area protected by the alarm system, and shall include, but not be limited to, all fire alarms, smoke alarms, or sprinkler alarms. (Ord. 4 of 1987, Sect. 2.7, Passed 5-4-87)
- h.) "False Alarms" means the activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or his employees or agents. In addition, the use of an alarm to summon police, fire or public safety personnel for reasons other than those listed on alarm system permits will also be considered a false alarm. False alarm shall not include alarms caused by electrical interruptions, floods or other natural disasters. (Ord. 4 of 1987, Sect. 2.8, Passed 5-4-87)
- i.) "Manual Hold-Up Alarm System" refers to an alarm system in which the signal transmission is initiated by the direct action of the person attacked or by an observer of the attack. (Ord. 4 of 1987, Sect. 2.9, Passed 5-4-87)
- j.) "Public Safety Alarm System" shall mean and include any one or more of the alarm systems described in this article. (Ord. 4 of 1987, Sect. 2.10, Passed 5-4-87)
- k.) "Subscriber" means a person who buys or leases or otherwise obtains for use upon premises within the City an alarm system or contracts with or hires an alarm business to monitor or service the alarm system. (Ord. 4 of 1987, Sect. 2.11, Passed 5-4-87)

1503.03 NOTIFICATION

a.) **Entry on Premises:** The alarm subscriber shall provide the Franklin Department of Public Safety with the names and residence telephone numbers of at least two (2) persons who can be reached by telephone and who can provide entry into the premises wherein an alarm system is located for the purposes of terminating an alarm signal. (Ord. 4 of 1987, Sect. 3.1, Passed 5-4-87)

b.) **Alarm Service:** The alarm subscriber shall provide to the Franklin Department of Public Safety the name and telephone number of a person employed by an alarm

business servicing or monitoring any alarm system who can be reached by telephone at any time, day or night, by the Public Safety Department, Fire Department or Police Department. (Ord. 4 of 1987, Sect. 3.2, Passed 5-4-87)

c.) Testing of Alarm: No alarm system shall be tested with a resulting transmission of an alarm to the Public Safety Department without first notifying the Franklin Department of Public Safety. (Ord. 4 of 1987, Sect. 3.3, Passed 5-4-87)

1503.04 SEVERABILITY

If any section, provision, phrase or word of this Article shall be held void, ineffectual or unconstitutional by a court of competent jurisdiction, then such finding shall not affect the validity of the remaining sections, provisions, phrases or words of this Article. (Ord. 4 of 1987, Sect. 6.1, Passed 5-4-87)

1503.99 FALSE ALARMS, PENALTIES, DISCONNECTION

a.) Penalty: There is hereby established a penalty to be imposed upon and paid by any person in the event a false alarm is transmitted to the Public Safety Department, Fire Department or Police Department for any alarm system as follows:

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|----|---|------------|
| 1) | For the first false alarm in any calendar year | No Penalty |
| 2) | For the second false alarm in any calendar year | \$ 25.00 |
| 3) | For the third false alarm in any calendar year | \$ 50.00 |
| 4) | For the fourth and each succeeding false alarm in any calendar year | \$100.00 |

Penalties may be revised from time to time by resolution of the Franklin City Council.

(Ord. 4 of 1987, Sect. 2.2, Passed 5-4-87)

b.) Circumstances Not Constituting False Alarm: Alarm conditions caused by the following circumstances shall not constitute a false alarm for which a user fee is imposed:

- 1) Alarm system malfunctions, if:
 - (a) Corrective measures are instituted within seventy-two (72) hours after the alarm has been transmitted and written proof of repairs is given to the Director of Public Safety; or

- (b) A person who has accidentally caused a false alarm immediately calls the affected department of the City in time to prevent a response of personnel and equipment to the premises.
- 2) Alarm activated by storm conditions, motor vehicle-utility pole collisions or disruption of telephone company service.

(Ord. 4 of 1987, Sect. 4.2, Passed 5-4-87)

c.) Possible Disconnection: The Director of Public Safety is hereby authorized to disconnect service and terminate responses to an alarm system where the alarm user has been assessed with four or more penalties in any calendar year and to suspend any City response until such time as the alarm user has his alarm system certified as repaired and functioning properly by a company which installs and maintains alarm systems. (Ord. 4 of 1987, Sect. 4.3, Passed 5-4-87)