

City of Muncie Indiana False Alarm Ordinance

121.01 Definitions

121.02 Duties of responding police or fire department officer

121.03 False Alarms

121.04 Alarm silencer required

121.05 Penalties

121.06 Proceeds of fines

121.01 Definitions.

As used in this chapter the following words shall have the meaning ascribed to them as follows:

(A) *Alarm system* means any mechanism, equipment or device which is designated or used for detection of an unauthorized entry into a building, structure, facility or enclosed area or for alerting others to the commission of an unlawful act or a fire within a building, structure, facility or enclosed area or both, and which emits a sound or transmits a signal or message when activated; this definition shall include local alarm systems.

(B) *Alarm user* means any natural person, firm, association, partnership, limited partnership, sole proprietorship or corporation, which is in control of any building, structure or facility wherein an alarm system is installed, operated or maintained.

(C) *False alarm* means the activation of an alarm system eliciting any response by the police or fire department which is not in response to actual or threatened danger to person or damage to property. "False alarm" also means the activation of an alarm system through mechanical failure, malfunction, improper installation or maintenance or negligence of the alarm user or his employees or agents; but it does not include alarm activations caused by violent conditions, of a nature or other extraordinary circumstances not reasonably subject to control by an alarm user or alarm system installer or service.

(D) *Local alarm system* means a signaling system which when activated causes an audible and/or visible signaling device to be activated only in or on the premises in which the system is installed, operated or maintained.

(E) *Notice* means written notice either by certified mail, return receipt requested, or by personal service upon the addressee at his last known address.

(Ord. No. 10-00, 1, 4-3-00)

121.02 Duties of responding police or fire department officer.

The police or fire department officer in charge at the scene shall be responsible to do the following:

(A) Whenever an alarm system is activated in the City of Muncie which results in an emergency response by the police or fire department, the first officer on the scene of the activated alarm shall inspect the area protected by the system and shall determine whether the emergency response was required or was a false alarm.

(B) If the officer at the scene of the activated alarm system determines the alarm to be false, the officer shall make a report of the false alarm, notice of which shall be sent to the alarm user at the address of the premise, or at the last known address

of the alarm user, if different from the premise address. A copy of the report shall be filed with the chief of the fire and police departments.

(C) The police chief or fire chief, or his designee, shall have the right to inspect the premise to which a response has been made and may cause such inspection to be made at any reasonable time after the occurrence of a false alarm.

(Ord. No. 10-00, 2, 4-3-00)

121.03 False alarms.

Whenever an alarm user issues, causes to be issued or permits the issuance of a false alarm, this section shall apply; provided, however, that this section shall not apply to a residential alarm user who is a natural person aged sixty-five (65) or older.

(A) The police and fire departments or the police department or the fire department responding to more than two (2) false alarms in any calendar year at the same address and having an alarm system is a violation of this chapter and a Class C misdemeanor, subject to the penalties set out in section 121.05, and a citation shall be issued.

(Ord. No. 10-00, 3, 4-3-00)

121.04 Alarm silencer required.

It is a violation of this chapter for any person, company, corporation, or entity to install on any premise in the City of Muncie a local alarm system or alarm system which does not have an operable automatic resetting device to silence the audible sounder within fifteen (15) minutes after activation and to prevent the alarm sounding again as a result of the same event that caused the original activation.

(Ord. No. 10-00, 4, 4-3-00)

121.05 Penalties.

A person, company, corporation or entity who violates the provisions of this chapter are subject to the following fines:

(A) The occupier of premises who permits more than two (2) false alarms in any calendar year is subject to a fine of not more than one hundred fifty dollars (\$150.00) for each false alarm exceeding two (2) in the calendar year.

(B) The installer of any alarm system or local alarm system that does not have an operable automatic resetting device in violation of section 121.04 is subject to a fine of not more than five hundred dollars (\$500.00) per installation.

(Ord. No. 10-00, 5, 4-3-00)

121.06 Proceeds of fines.

The proceeds of all fines levied pursuant to this ordinance shall be paid over as follows: Fifty (50) percent to the general fund of the City of Muncie, twenty-five (25) percent to the Muncie firefighter training fund and twenty-five (25) percent to the Muncie police department training fund. (Ord. No. 10-00, 6, 4-3-00)