

CHAPTER 4
Regulation of Alarm Systems and Businesses

Historical Note: Unless otherwise indicates, the provisions of this chapter are derived from Ord. No. 1993-9, adopted 10/26/93.

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Sec. 7-4-1 Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

(a) Alarm Business shall mean the business or occupation by any individual, partnership, corporation or other entity of: selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure, or facility or dwelling.

(b) Alarm System shall mean any assembly of equipment, mechanical or electrical, arranged or designated to signal the occurrence of an illegal entry, fire, need for medical assistance, or other activity or hazard requiring urgent attention within a building, home, structure or facility and to which the City police department or fire department is expected to respond, including all automatic dialing systems.

Alarm systems shall not include individual smoke detectors in private dwellings which are not connected to an automatic dialing system or external alarm. Alarm systems shall not include audible alarms affixed to automobiles.

(c) Alarm User shall mean any person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure, or facility where an alarm system is maintained.

(d) Automatic Dialing System shall mean any alarm system or device which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system or device is designated to detect.

(e) False Alarm shall mean any alarm which is given, sounded or otherwise expressed when there is no apparent causal event requiring immediate police, fire or other emergency response, including but not limited to the activation of or notification by an alarm system through mechanical or electronic defect or failure, malfunction, defective installation, the negligence of the Alarm User or his employees, agents, invitees or licensees, or the conducting of an alarm test or drill without the prior notification to the City police and fire departments.

False Alarms shall not include alarms caused by power failure, severe weather conditions, earthquakes or other natural disasters, or those alarms activated on the City's police or fire departments' control system and indicated as telephone line trouble." (Amended by Ord. 1996-17, 10/22/96

(f) Local Alarm shall mean those alarms which activate an audible signal within the proximity of the premises only.

Sec. 7-4-2 Alarm Businesses Regulated.

No person or entity shall engage in, conduct or carry on an alarm business within the City without complying with this Ordinance, and all other applicable State laws and City ordinances.

Sec. 7-4-3 Registration Required.

Each alarm business owner and operator is required to register with the City police department the name, address, and telephone number of each new subscriber within the City prior to the activation of the new alarm system, or upon notification that an existing alarm system has been sold or transferred to another subscriber.

Whenever any change occurs relating to the written information required by this chapter, the applicant or permittee shall give written notice thereof to the police department within ten (10) days following such change.

Sec. 7-4-4 Specific Alarm Regulations.

(a) The alarm user shall at all times maintain the alarm system in a state of good repair. The user will repair any malfunctioning alarm system within 12 hours of discovery of a problem and will notify the police department when malfunction has been remedied.

(b) All alarm businesses shall have qualified repair and maintenance personnel available for call by the police department 24 hours a day, every day of the year. All alarm businesses shall have personnel available to respond at the request of the police department to any alarm location within 30 minutes of notification.

(c) All alarm users shall provide the City police department with a written list of at least two (2) persons who are authorized and available to respond to the City police department in the alarm user's behalf regarding any alarms at such user's location. Such list shall be on such form as is prescribed by the City Police Department and shall be updated by the alarm user no less than once per calendar year. (Amended by Ord. 1996-17, 10/22/96)

(d) In the event an alarm system cannot be de-activated in a timely manner, such alarm business/user shall be required to provide personnel for surveillance to said business until such time as the alarm is de-activated (audible alarm) and/or business is safely secured.

(e) All alarm users shall notify the City police department immediately prior to testing the alarm system or performing maintenance on the system. Further, the user shall re-notify the police department immediately upon completion of testing or maintenance work.

(f) All new alarm systems other than fire alarms shall have reset capability to reset within 15 minutes. An alarm system cut-off shall be installed to over-ride all malfunctioning reset systems. All audible alarms may not emit a sound similar to an emergency vehicle. The users of existing alarm systems will have one year from the adoption of this ordinance to convert such systems to comply with the provisions herein.

(g) Each automatic dialing alarm system programmed to ring in the City police department must be directed to a number furnished by the police department, which will be provided upon application for alarm permit for such system.

Sec. 7-4-5 Alarm Permits Required.

(a) No person or entity shall install or use an alarm system within the City of Isle of Palms without first applying for and receiving an alarm permit in accordance with the provisions of this chapter. Each system and each location shall require a permit. The alarm user shall be responsible for obtaining permit(s) and ensuring full compliance with this section.

(b) There shall be an initial \$25.00 alarm permit fee, due and payable by the user upon installation of the alarm system. The City police department shall provide for an annual postcard permit renewal system

which shall provide for free renewal to the user for permit renewals received by the City police Department during the month of January of the renewal year. There shall be a \$10.00 permit renewal fee due from the user for any renewals received by the City after January 31st of the renewal year. (Amended by Ord. 1996-17, 10/22/96)

(c) Alarm permits shall expire on December 31 of each year. For alarm systems existing as of the enactment of this chapter, each alarm user must secure a permit no later than December 31, 1993, which permit shall expire on December 31, 1994. Applications for renewals of permits shall be processed in the same manner as applications for the initial permit.

(d) Applications for an alarm permit shall be filed with the City police department on forms provided by the department. The application shall be signed and verified by the applicant and shall contain such information as the department may require and must include the name, address and telephone number of a person or company who will render service or repairs during any hour of the day or night. Permits provided for in this chapter shall be issued by the police department and shall be non-transferable.

(e) The alarm user/permittee shall supply on his or her application for permit the names, addresses and phone numbers of at least two (2) persons to call in the event of an emergency. If the user/permittee has arranged for a service contract, emergency telephone numbers of the service company shall be supplied.

The alarm user/permittee is responsible for updating the information provided to the police department.

(f) Upon receiving an application from any person for an alarm permit, the chief of police or his authorized representative shall cause a timely investigation to be made of the system to be installed to determine if the system complies with the requirements of this section and all applicable laws and ordinances. All systems must be designed for the express purpose of detecting intrusion, fire or protecting personal health and must be federal or State of South Carolina approved. The permit shall be denied if the alarm system does not comply with standards adopted pursuant to this section, or if the applicant has knowingly made any false, misleading or fraudulent statement of a material fact in the application for permit.

Sec. 7-4-6 Enforcement & Penalties.

(a) Failure to apply or re-apply for a permit as required by this chapter shall constitute a misdemeanor, and shall be punishable as set forth in Chapter 1-3-66 of the City code.

(b) Failure to maintain an alarm system in compliance with this chapter, or to otherwise comply with the requirements herein, shall constitute grounds for the suspension or revocation of an alarm permit. The procedures as set forth in Section 7-1-22(c) of the City Code shall be used in enforcing the City's right to suspend or revoke an alarm permit. Any continued use of an alarm system after a permit for said system is suspended or revoked shall constitute a misdemeanor and shall be punishable as set forth in Chapter 1-3-66 of the City Code.

(c) For those entities or activities that are required by fire code, State statute, or otherwise, to have an active alarm system in operation, the City will notify the appropriate agency or agencies about the pending discontinuance of the alarm system prior to the suspension or revocation of such an alarm system.

(d) The United States Government, the State of South Carolina, counties, municipal corporations, departments thereof and other governmental entities are exempt from all fees and penalties required by this chapter, provided that the governmental entity must be the owner of the alarm system. In the event the governmental entity contracts with or otherwise arranges with a person, business, or non-governmental entity for an alarm system, all fees and costs shall be required from the said person, business or non-governmental entity.

(e) The making of a false alarm shall constitute a misdemeanor against the Alarm User and shall be punishable as follows: Each user is allowed three (3) false alarms during each calendar year at each separately permitted location, for which no fine shall be assessed. Each user shall be subject to a fine of Fifty (\$50.00) Dollars each for the fourth, fifth and sixth false alarms at such location received by the City during such calendar year. Each user shall be subject to a fine of One Hundred (\$100.00) Dollars each for the seventh and all subsequent false alarms at such location received by the City during such calendar year. Each user shall be mailed or given a written warning from the police department for the first three false alarms during any calendar year. (Ord. 1996-17, 10/22/96, added this paragraph)

Reference: See Title 9, Chapter 5, Section 9-5-3