False Alarm Reduction Ordinance

Section 1 Definitions:

Alarm: Any device which, when actuated by the occurrence of a criminal act or fire risk requiring police, fire or rescue response, transmits a signal to a central alarm system, a third party or directly to the Christiansburg Police Department or produces an audible or visible signal designed to notify persons within audible or visual range of the signal.

Alarm User: Any person using a security or fire alarm system or having an insurable interested in any premises upon which is located such a system, regardless of whether the person owns the security or fire alarm system or the premises on which it is located.

Alarm Company Operator: Any person legally authorized to transact business within the Commonwealth of Virginia and currently maintaining either a Virginia contractor's license or a local business license to engage in the business of installation, maintenance, alteration, servicing or monitoring alarm systems.

False Alarm: Any security or fire alarm signal, communicated directly or indirectly to the Christiansburg Police Department which is not in response to actual or threatened criminal activity or fire risk requiring immediate police, fire, or rescue response. False alarms include negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning, or improperly installed or maintained equipment; signals which are purposely activated to summon the police department or fire and rescue service in nonemergency situations; and signals for which the actual cause is not determined. False alarms shall not include signals activated by unusually severe weather conditions or other causes which are identified and determined by the Chief of Police or designee to be beyond the control of the user.

Alarm License- A license issued by the Town Treasurer upon receipt of a completed registration form for the use of an alarm system on commercial properties.

Commercial Property- Any commercial or business property that is required to obtain a Town business license to operate in the Town of Christiansburg and has an alarm system installed at the place of business.

Section 2 – Alarm system user registration and permits

A. Every alarm user shall, between the dates of February 1and March 1of each year, obtain an alarm system user license from the Town for the operation of such alarm system. If the alarm system is to be installed or maintained by an alarm company operator, the alarm company operator may obtain the required license for the alarm system user. The person applying for the license required in this section shall state on the registration form provided by the Town the following: name, address of the commercial premises, telephone number of the alarm system user, the type of alarm system (local or monitored), name of the alarm company operator selling or leasing the new or existing alarm system equipment or services and the names, addresses and telephone numbers of at least two (2) other persons who can be reached at any time, day or night, and who are authorized to respond to an alarm signal and who can open and represent the premises in which the system is installed for reporting and investigative purposes. It shall be the responsibility of the alarm system user to make sure that such persons respond within twenty (20) minutes of notification by the Town. If the responsible party's response time is delayed longer than 30 minutes from the time Police units are dispatched and there is no exterior indication of criminal activity, a determination will be made as to the need to remain on scene pending their arrival. It shall be the responsibility of the alarm system user to notify the Christiansburg Police Department in writing of any subsequent changes in the information provided on the license registration. Upon approval by the Town of the alarm license registration, the license shall be issued to the alarm system user which shall be prominently displayed in the business property.
B. Any alarm system user who operates or allows an alarm system to be operated without first obtaining a license as required by this section, or who, after having a license revoked, operates or allows the system to be operated, shall be in violation of this article, and subject to fine, as provided by section Eight (8). The alarm system user to whom the alarm system user license should have been or was issued, in the case of revocation, shall be the person held in violation.
C. This license requirement is intended to assist the Police and Fire Departments, as well as the Town Manager, in the administration of the provisions of this article and shall not be deemed to create any special duty with respect to the protected premises beyond that owed to the general public.
D. Permits issued under this article shall be nontransferable.

Section 3 – Duties of alarm system users

A. Alarm system users shall instruct employees, tenants or others who may have occasion to activate an alarm that alarm systems are to be activated only in emergency situations to summon an immediate Police or Fire Department response and shall provide instruction as to the operation of the alarm system, including setting, activation, and deactivation and resetting of the alarm. The alarm system user shall be responsible for maintaining the alarm system in proper working order.
B. An alarm system user or person authorized and capable of deactivating the alarm, who allows an alarm to continue to emit and audible signal for thirty (30) minutes after notification of the alarm commencing to emit such signal shall be guilty of a class 3 misdemeanor.

Section 4 – Duties of alarm company operators

A. No commercial alarm system shall be installed, monitored, altered, serviced, or repaired to a level of operation by an alarm company operator unless the alarm system user has complied with the registration and license provisions of section 2.
B. Every alarm company operator that installs, monitors, alters, services, or repairs an alarm system after the effective date of this article shall certify that the alarm system user has been instructed in the proper use and operation of the alarm system.

Section 5 – Service charges for false alarms

A. All unregistered alarm systems will be charged a response fee as outlined in section 5-B.
B. No service charge shall apply to the first four (4) false fire and/or security alarms in each registration year for each registered location provided the alarm system user is an alarm license holder. A service charge of fifty dollars ($50) for the fifth response, one hundred dollars ($100) for the sixth response, and one hundred fifty ($150) for the seventh and subsequent false alarm response shall be assessed against the alarm system user who activates, utilizes, operates or maintains an alarm system within the town. Unregistered alarms will be assessed a one hundred dollar ($100) response fee for each false alarm.
C. Any service charge or fee billed under this article shall be due thirty (30) days from the date of invoice by the Town and shall be payable to the Town Treasurer.

Section 6 – Failure to pay service charges; revocation of alarm license

A. All service charges assessed against the alarm system user of the protected premises if registered or not, who activates, utilizes, operates or maintains an alarm system shall be paid to the Town Treasurer. In the event legal action is necessary to collect the service charges, the alarm system user shall be required to pay for any and all attorney fees and other costs expended by the Town to collect such funds. The failure of a license holder to pay any service charge assessed under this article when due shall constitute grounds for the revocation of an alarm license by the Town Manager or his/her designee. The continued operation of an alarm system by the person who activates, utilizes, and/or maintains an alarm system after notification that the license has been revoked shall constitute a class 3 misdemeanor. An alarm license that has been revoked pursuant to this section may be reinstated by the Town Manager or his /her designee upon payment of all outstanding service charges, a reinstatement fee or fifty dollars ($50), and compliance with all other requirements of this article.

Section 7 – Appeals

A. Upon an appeal made in writing to the Town Manager or his designee within thirty (30) days of the date of receiving the Town's invoice, any person against whom a service charge has been assessed under this article may appeal such charge to be reviewed by the Town Manager or his designee. The appeal shall include a brief statement setting forth why the person against whom the charge has been assessed believes that the service charge is not valid. The Town Manager or his designee may waive all or a portion of the service charge for good cause shown in the appeal.

Section 8 – Penalties

A. Except as otherwise provided, any person who violates any section of this article shall be guilty of a class 3 misdemeanor.

B. Assessments which remain outstanding for more than 30 days will be charged a late fee of 10% and interest at 10% per annum.