

**CITY OF WEST ALLIS
ORDINANCE O-2022-0041**

**ORDINANCE TO UPDATE ALARM PERMIT FEE LANGUAGE TO REFLECT
PRIOR CHANGES IN FEE SCHEDULE**

AMENDING SECTION 4.24

WHEREAS, the council occasionally updates the code to ensure internal consistency and updated language; and

WHEREAS, the Fee Schedule was updated, but the authorizing language in the code was not amended at that time;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: **AMENDMENT** “4.24 Regulation Of Alarm Systems” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

4.24 Regulation Of Alarm Systems

1. Definitions. The following definitions are applicable to this section:
 - a. Alarm Company. A business of an individual, partnership, company or other entity engaged in selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving or installing any alarm system or in causing any alarm system to be sold, leased, maintained, monitored, serviced, repaired, altered, replaced, moved or installed, in or on any building, structure or facility.
 - b. Alarm System. An intrusion, burglar, hold-up or similar system, which is designed to summon or cause a response by the Police Department by transmitting a signal to a central alarm system or produces an audible or visual signal.
 - c. Alarm User. The person, partnership, corporation or other entity of any kind in control of any building, structure or facility or portion thereof, wherein an alarm system is in operation.
 - d. False Alarm. A signal from an alarm system resulting in a response by the Police Department when an emergency situation does not exist, regardless of the manner in which the Police Department is alerted.
2. Permits.
 - a. Permit Required. A permit shall be required of every alarm user on any premises within the City on the effective date of this ordinance or installed thereafter, except as set forth herein. Application for a permit may be made by

the owner, lessee, alarm user or alarm company.

- b. Permit Fee. A permit fee ~~of twenty-five dollars (\$25.00)~~ in the amount listed on the Fee Schedule shall be paid at the time of the filing of an application for a permit.
- c. Time to Acquire. Alarm systems on premises within the City prior to the effective date of this ordinance shall obtain a permit or disconnect the alarm system within ~~ninety (90)~~ days from the effective date. Alarm systems installed after the effective date shall obtain a permit before the system is installed. Any change of occupant or change of alarm system shall require a new permit.

3. Permit Application, Standards, Issuance and Appeal.

- a. Issuing Authority. The Chief of Police or ~~a~~his designee shall issue alarm system permits.
- b. Application. Application for all permits required under this section shall be filed with the Police Department upon a form prescribed for such application by the Chief. The application shall contain the following:
 - i. The name, address and telephone number of the alarm user.
 - ii. The name, address and telephone number of a person or firm which can be contacted in the event of an emergency or false alarm and is available upon request of the Police Department within ~~one-half (1/2) hour~~ 30 minutes to provide a key to the premises for which an alarm has been activated for the purposes of inspecting the premises or resetting the alarm system.
 - iii. Identification of the alarm company.
 - iv. Any other information deemed necessary by the Police Chief for the purpose of providing an appropriate response by the Police Department.
 - v. An agreement to pay the fee set forth in section (7) and to permit the City of West Allis to place said fee on the alarm users tax roll if not paid.
 - vi. In the event that the Police Department responds to an alarm at the premises covered by the alarm system, and neither the permit holder nor ~~his~~ an authorized agent is present, the permit holder consents to a municipal breaking and entering of the premises to ascertain the cause of the alarm.
- c. Alarm System Standards. Alarm systems and components shall be listed/labeled by a recognized testing laboratory and installed in accordance with the manufacturers installation instructions and in accordance with the National Fire Protection Association Chapter 70, the National Electrical Code, as amended by State of Wisconsin Administrative Code, and Department of ~~Commerce~~ Safety and Professional Services, Chapter 316. Recognized testing laboratories are, but not limited to, Underwriters Laboratories (UL), Inchcape Testing Services (ETL), Canadian Standards Association (CSA) and Factory Mutual Research Corporation (FM).

4. Prohibitions.

- a. Alarm System Permits. No alarm user shall install, use or possess an operative

alarm system without having a permit as required by this section.

- b. Audible Alarms. No person, firm, corporation or other entity shall use or install an alarm system which upon activation shall emit an audible alarm, unless such system shall automatically shut off within ~~fifteen (15)~~15 minutes after being activated. This section shall apply to vehicle and other mobile alarm systems, in addition to those installed in a building.
 - c. Automatically Activated Telephone Dialer. No person, firm, corporation or other entity shall use or cause to be used, any telephone or electronic device or attachment that automatically selects the public telephone trunk line of the Police Department which reproduces a prerecorded message to report a burglary or other emergency. Any system in operation, which is in violation of this subsection, shall be modified so that it is no longer in violation or shall be disconnected no later than ~~ninety (90)~~90 days following the enactment of this ordinance.
5. Duties of Alarm User and Alarm Company. Where an alarm system is connected to an alarm company that notifies the Police Department of a signal from the alarm system, the following shall apply:
- a. The alarm company shall maintain a list of keyholders for each alarm system, together with current telephone numbers for said keyholders.
 - b. The alarm company shall, after notifying the Police Department of the alarm, attempt to notify the keyholders for the alarm system giving the alarm.
 - c. The alarm company shall, within ~~one-half (1/2) hour~~30 minutes of notifying the Police Department of the alarm, inform the Police Department of whether it was successful in contacting a keyholder and, if so, the approximate arrival time of the keyholder.
 - d. The alarm user shall respond or cause a keyholder to respond to an alarm within ~~one-half (1/2) hour~~30 minutes of the alarm being called in to the Police Department and terminate the alarm signal.
 - e. If an alarm system also gives a visual or audible signal that can be seen or heard from the exterior of the building, and the owner fails to respond or cause a response as required in subsection (d), the alarm company shall respond within ~~thirty (30)~~30 minutes after being so notified by the Police Department, and deactivate the signal. This provision shall only apply where the device giving the signal is accessible from the exterior of the building or where the alarm company has a key to the premises.
6. False Alarms.
- a. No person owning, using or possessing an alarm system shall cause or permit the giving of a false alarm, whether intentional, accidental or otherwise.
 - b. No person shall intentionally cause the activation of an alarm system knowing that no emergency exists.
 - c. Fee for false alarm response. In the event that the Police Department responds to a false alarm, a fee in the amount listed on the Fee Schedule of fifty dollars (\$50.00) shall be imposed upon the alarm user for the 4th, 5th, and 6th false alarm; a fee of one hundred dollars (\$100.00) shall be imposed for each subsequent false alarm. ~~The fees set forth herein shall apply to false alarms~~

~~occurring within a calendar year.~~ Any fees payable to the City of West Allis which are delinquent may be assessed against the property involved as a special charge for current service, without notice, pursuant to sec.

~~66.60(16)~~66.0627 of the Wisconsin Statutes.

- d. Penalties. In addition to fees imposed in subsection (c), any person in violation of subsection (a) shall forfeit up to ~~is subject to a three hundred dollar (\$300.00) forfeiture~~, plus court costs, for the 8th and each subsequent false alarm within a calendar year.
- 7. Exemptions. This section shall not apply to the following:
 - a. An alarm system which gives a signal solely within the interior of the building in which it is located.
 - b. Alarm systems which are used by the City of West Allis.
- 8. Penalty. Unless a different penalty is set forth herein, any person, firm, corporation or other entity, which violates any of the provisions of this section, shall forfeit not less than ~~one hundred dollars (\$100.00)~~ nor more than ~~five hundred dollars (\$500.00)~~ for each violation, together with the costs of prosecution, and in default of payment of such forfeitures and costs, the defendant's operating privileges shall be suspended pursuant to secs. 343.30 and 345.47 of the Wisconsin Statutes, or by imprisonment in the Milwaukee County House of Correction until payment of the forfeiture and costs, but not in excess of the number of days set forth in sec. 800.095(4) of the Wisconsin Statutes. Each and every day during which a violation continues constitutes a separate offense, unless a different time is set forth herein.

~~{Ord. 6242, 9/3/1996; Ord. 6296, 3/18/1997}~~

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL MARCH 01, 2022.


	AYE	NAY	ABSENT	ABSTAIN
Ald. Angelito Tenorio	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Vince Vitale	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Tracy Stefanski	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Danna Kuehn	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Thomas Lajsic	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Rosalie Reinke	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kevin Haass	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer



Rebecca Grill, City Clerk, City Of
West Allis



Dan Devine, Mayor City Of West Allis

