

**THE COUNTY COMMISSION OF PUTNAM COUNTY, WV AN
ORDINANCE PERTAINING TO THE
REGULATION OF FALSE ALARMS IN PUTNAM COUNTY.**

WHEREAS, WV Code 7-1-3cc(3)(d) authorizes the County Commission to establish standards for alarm systems, including security, fire and medical alarms; and

WHEREAS, the goal is to reduce false alarms. Our past experience indicates the primary cause of false alarms are (1) Operator error; (2) Poorly installed equipment; (3) Poor quality equipment; and (4) Failure to maintain equipment.

WHEREAS, response to false alarms consumes many hours of valuable Law Enforcement, EMS and Fire Department time and resources, reduces mental preparedness of officers and members responding to alarms that an actual emergency exists and presents significant health, safety and welfare hazards to the citizens of Putnam County. Those who utilize faulty alarm systems which repeatedly generate false alarms that necessitate response are misusing available Law Enforcement, EMS and Fire Department resources; and **WHEREAS**, it is the intent of the County



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Fee Amt: Page 1 of 6
Putnam County Clerk
Brian Wood County Clerk

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Commission that this ordinance be enforced particularly against those who are chronic offenders, that first time offenses be dealt with in a way that educated the citizens as to the problem caused by false alarms, and with a warning that chronic abuse will result in monetary penalties; and

WHEREAS, the County Commission of Putnam County finds that the adoption of a false alarm ordinance is in the best interest of the public health, safety, and welfare of the citizens of Putnam County; now, therefore.

BE IT ORDAINED BY THE COUNTY COMMISSION OF PUTNAM COUNTY AS FOLLOWS:

Section 1. This ordinance shall be known as and be referred to as the **“Putnam County False Alarm Code”**.

Section 2. Definitions:

(A) As used in this ordinance, such words and phrases shall have the following meanings:

(1) **ALARM BUSINESS** means the business, by an individual, partnership, corporation or other entity, of selling, leasing, servicing, repairing, altering, replacing, moving, installing or monitoring an alarm system in an alarm site, for security, fire and medical alarms also.

- (2) **ALARM DISPATCH REQUEST** means a notification to the 911 Center by the Alarm Business that an alarm, either manual or automatic has been activated at a particular alarm site.
- (3) **ALARM SITE** means a single premises or location served by an alarm system or systems. Each tenancy, if served by a separate alarm system in a multi-tenant building or complex shall be considered a separate alarm site.
- (4) **ALARM SYSTEM** means any device designed for the detection of unauthorized entry or alerting others of the commission of an unlawful act, or fire or medical emergency, and when activated causes an audible and/or visual signal or transmits a signal or message to which law enforcement officers or medical or fire personnel are expected to respond or which would imply to a reasonable person that law enforcement officers are needed at the alarm source to investigate a criminal activity or emergency.
- (5) **ALARM USER** means any person, firm, partnership, company, association, corporation or owner, tenant or lessee or their authorized agent or representative of premises on which an alarm or medical alert is installed, maintained or utilized.
- (6) **FALSE ALARM** means the activation of an alarm system resulting in a response by the Putnam County Sheriff's Department or any other Law Enforcement Officer, EMS or Fire Department to the building, place or premises on which the alarm system is located when the responding officer finds no evidence of a criminal offense or attempted criminal offense or fire or medical need after having completed a timely investigation of the alarm site.

An Alarm Dispatch Request which is cancelled by the alarm business or the alarm user within ten (10) minutes of the call or before the responding agencies arrive at the call, shall not be considered a False Alarm.

Response to medical alert alarms are not considered false alarms even if pressed by mistake.

- (7) **MONITORING** means the process by which an alarm business receives signals from alarm systems and relays an alarm dispatch request to the Putnam County 911 Center for the purpose of summoning Law Enforcement, Medical, or Fire response to the alarm site.

Section 3. Violation.

Each defined false alarm is a violation of this ordinance.

Section 4. Penalty Assessment Procedure and Penalty.

- (1) Any alarm user who has a false alarm shall for the first two offenses pay no penalty.
- (2) Third false alarm in a twelve (12) month period shall be a \$50.00 penalty.
- (3) Fourth false alarm in a twelve (12) month period shall be a \$100.00 penalty.
- (4) Fifth false alarm in a twelve (12) month period shall be a \$200.00 penalty.
- (5) Sixth false alarm in a twelve (12) month period shall be a \$300.00 penalty.
- (6) Any subsequent false alarm in a twelve (12) month period is subject to the maximum penalty of \$300.00.

These records shall be kept on file by the appropriate emergency service agency (Sheriff, PCFSB, or PCEMS).

Section 5. Payment of Penalties:

All penalties must be paid within thirty (30) days after receiving notification of the same.

If the user does not pay the penalties within thirty (30) days from the date of notification, by certified mail, return receipt requested, the emergency service agency shall pursue legal action to obtain payment.

Section 6. Disposition of Penalties.

All penalties for the violation of this ordinance shall be paid to the appropriate emergency service agency (Sheriff, PCFSB, or PCEMS).

Section 7. Interpretation.

This ordinance shall be so interpreted and construed as to effectuate its general purpose to conform to State law.

Section headings and cross references of this ordinance shall not be deemed to govern, limit, modify or affect in any manner the scope, meaning or extent of the provisions of this ordinance or any section thereof.

Section 8. Application.

This ordinance shall apply to every alarm site which notifies the Putnam County 911 Center.

Section 9. Severability.

If any section, clause, sentence or part of this ordinance is adjudged by a court of competent jurisdiction to be invalid, such invalidity shall not affect, impair or invalidate the other provisions of this ordinance which can be given effect without such invalid provision.

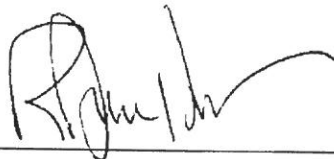
Section 10. Effective Date.

This Ordinance shall become effective February 1, 2017.

INTRODUCED, READ AND ADOPTED ON FIRST READING on

Dec. 13, 20 16, and ordered published in the local newspaper.

THE COUNTY COMMISSION OF PUTNAM COUNTY, WEST VIRGINIA.



President

ADOPTED ON December 13, 2016.

STATE OF WEST VIRGINIA, Putnam
County Commission Clerk's Office
12/14/2016. The foregoing Court Order
together with the certificate of its
acknowledgment, was this day presented
in said office and admitted to record.

Teste:  Clerk