

ORDINANCE NO. O-007-004

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

AN ORDINANCE FOR THE REGULATION AND LICENSING OF ALARM SYSTEMS IN THE UNINCORPORATED AREAS OF DOUGLAS COUNTY; ESTABLISHING REGISTRATION AND LICENSING PROCEDURES AND FEES FOR ALARM INSTALLATION COMPANIES AND/OR MONITORING COMPANIES; OPERATIONAL STANDARDS FOR ALARM SYSTEMS; AND PRESCRIBING THE PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, Section 30-15-401(1)(o.5), C.R.S., authorizes the Board of County Commissioners (“Board”) to adopt an Ordinance for the regulation and licensing of alarm systems which transmit information to law enforcement or other public safety officials located within the County; and

WHEREAS, response to false alarms consumes many hours of valuable law enforcement time and resources, increases the potential for delay in responding to actual emergency calls for service, and presents significant health, safety and welfare hazards to the citizens of Douglas County; and

WHEREAS, the Board finds that the adoption of this Ordinance is in the best interest of the public health, safety, and welfare of the citizens of Douglas County; now therefore;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, as follows:

This Ordinance shall be known as the “Douglas County Alarm Ordinance”.

SECTION 1. PURPOSE

(A) The purpose of this Ordinance is to encourage Alarm Users and alarm companies to properly use and maintain the operational effectiveness of Alarm Systems in order to improve the reliability of Alarm Systems and reduce or eliminate False Alarms.

(B) This Ordinance governs Alarm Systems intended to summon law enforcement response. This Ordinance describes registration procedure; defines associated alarm fees; provides and establishes fees, provides for penalties for False Alarms; establishes a system of administration; and sets conditions for suspension of law enforcement response or revocation of registration.

SECTION 1.1 ADMINISTRATION AND FUNDING

(A) Responsibility for administration of this Ordinance is vested with the Sheriff.

(B) The Sheriff designates an Alarm Administrator to carry out the duties and functions described in this section.

(C) Monies generated by False Alarm service fees and registration fees assessed pursuant to this Ordinance shall be dedicated for use by the Sheriff's Office directly for administration of the alarm program and for recovery of general patrol services lost to False Alarm response.

(D) The Alarm Administrator conducts an annual evaluation and analysis of the effectiveness of this Ordinance and identifies and implements system improvements, as warranted.

SECTION 2. DEFINITIONS

In this Ordinance the following terms and phrases shall have the following meanings:

(A) Alarm (also Duress Alarm, hold-up alarm or Panic Alarm) means an alarm signal generated by the manual or automatic activation of a device, or any system, device, or mechanism on or near the premises intended to signal that a crime has occurred which transmits information to law enforcement or other public safety officials located within the county.

(B) Alarm Administrator means the Douglas County Sheriff's Office designee responsible to administer and control and review False Alarm reduction efforts and administer the provisions of this Ordinance.

(C) Alarm Agreement means the legal contract or agreement by and between the Alarm Installation Company and/ or Monitoring Company and the Alarm User.

(D) Alarm Installation Company means a person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing a security alarms system in an alarm site. This definition shall also include individuals or firms that install and service the security Alarm Systems that will be used in their private or proprietary facilities. This does not include persons doing installation or repair work where such work is performed without compensation of any kind (i.e., "do-it-yourselfer").

(E) Alarm Dispatch Request means a notification to the Douglas County Sheriff's Office that an Alarm, either manual or automatic, has been activated at a particular Alarm Site.

(F) Alarm Registration (or Permits) means authorization granted by the Alarm Administrator to an Alarm User to operate an Alarm System which has the ability to summons a law enforcement response.

(G) Alarm Response Manager (ARM) means a person designated by an Alarm Installation Company and/ or Monitoring Company to handle alarm issues for the company and act as the primary point of contact for the Sheriff's Office Alarm Administrator.

(H) Alarm Site means a single fixed premises or location served by a security Alarm System or Systems. Each unit, if monitored by a separate security Alarm System in a multi-unit building or complex, shall be considered a separate Alarm Site.

(I) Alarm System means a device or series of devices, including, but not limited to, hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to directly or indirectly transmit information to law enforcement or other public safety officials located within the County.

(J) Alarm User means any person or entity, who has contracted for Monitoring, repair, installation or maintenance service from an Alarm Installation Company and/ or Monitoring Company for an Alarm System, or who owns or operates an Alarm System which is not monitored, maintained or repaired under contract.

(K) Arming Station means a device that allows control of a security Alarm System.

(L) Automatic Voice Dialer means any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio or other communication system, to a law enforcement, public safety or emergency services agency requesting dispatch. The use of this system has not been authorized by the Douglas County Sheriff's Office.

(M) Burglar Alarm means an Alarm to identify the presence of an intruder in either a business or residence.

(N) Cancellation means the process where response is terminated when a Alarm Installation Company and/ or Monitoring Company (designated by the Alarm User) for the Alarm Site notifies the Douglas County Sheriff's Office that there is not an existing situation at the Alarm Site requiring a deputy's response after an Alarm Dispatch Request.

(O) Contract law enforcement is any incorporated portions of the County in which Douglas County Sheriff's Office provides law enforcement services.

(P) Conversion means the transaction or process by which an Alarm Installation Company and/ or Monitoring Company begins the servicing and/or Monitoring of a previously unmonitored security Alarm System or a security Alarm System previously serviced and/or monitored by another alarm company.

(Q) Customer False Alarm Prevention Checklist means a check off list provided by the Alarm Administrator to the Alarm Installation Company and/ or Monitoring Company to provide to the Alarm User to complete prior to the activation of an Alarm System. (See Appendix B)

(R) Duress Alarm means a silent security Alarm System signal generated by the entry of a designated code into an Arming Station in order to signal that the Alarm User is being forced to turn off the system and requires a deputy's response.

(S) Enhanced Call Verification (ECV) means an attempt by the Alarm Installation Company and/ or Monitoring Company, or its representative, to contact the Alarm Site and/or Alarm User by telephone and/or other electronic means, whether or not actual contact with a person is made, to determine whether an Alarm signal is valid before requesting law enforcement dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Request. For the purpose of this Ordinance, telephone verification shall require as a minimum that a second call be made to a different number, if the first attempt fails to reach an Alarm User who can properly identify themselves to determine whether an Alarm signal is valid before requesting a deputy dispatch. Names and numbers of those contacted or attempted to contact, must be provided when requested.

(T) False Alarm means an Alarm Dispatch Request to the Douglas County Sheriff's Office, when the responding deputy finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the Alarm Site or is cancelled prior to the arrival of law enforcement.

(U) Holdup Alarm means a silent alarm signal generated by the manual activation of a device intended to signal a robbery or other crime is *in progress*, and that one or more persons are in need of immediate Sheriff's assistance in order to avoid injury, serious bodily harm or death at the hands of the perpetrator of the robbery or other crime.

(V) Local Alarm System means any security Alarm System, which is not monitored, that annunciates an alarm only at the Alarm Site.

(W) Monitoring means the process by which a Alarm Installation Company and/ or Monitoring Company receives signals from a security Alarm System and relays an Alarm Dispatch Request to the Douglas County Sheriff's Office for the purpose of summoning a deputy to the Alarm Site which transmit information to law enforcement or other public safety officials located within the county.

(X) Monitoring Company means an organization in the business of providing Monitoring services.

(Y) One Plus Duress Alarm means the manual activation of a silent alarm signal by entering at an Arming Station a code that adds one to the last digit of the normal arm/disarm code (e.g., normal code = 1234, one plus duress code = 1235)

(Z) Panic Alarm means an audible security Alarm System signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring a deputy's response.

(AA) Responsible Party means an individual capable of reaching the Alarm Site within thirty [30] minutes and having access to the Alarm Site, the code to the security Alarm System and the authority to approve repairs to the security Alarm System.

(BB) Robbery Alarm (also Duress Alarm, hold-up alarm or Panic Alarm) means an alarm signal generated by the manual or automatic activation of a device, or any system, device, or mechanism on or near the premises intended to signal that a robbery or other crime is *in progress*, and that one or more persons are in need of immediate Sheriff's assistance in order to avoid injury, serious bodily harm or death at the hands of the perpetrator of the robbery or other crime

(CC) Sheriff means the Sheriff or other authorized representative of the Douglas County Sheriff's Office as designated by the Sheriff.

(DD) SIA Control Panel Standard CP-01 means the ANSI – American National Standard Institute approved Security Industry Association – SIA CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce the incidence of False Alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction".

(EE) Takeover means the transaction or process by which an Alarm User takes over control of an existing security Alarm System, which was previously controlled by another Alarm User.

(FF) Unregistered Alarm Site means a site that has not complied with the registration requirements as defined in the Alarm Ordinance.

(GG) Zones mean division of devices into which a security Alarm System is divided to indicate the general location from which a security Alarm System signal is transmitted.

SECTION 3. REGISTRATION REQUIRED; APPLICATION FEE; TRANSFERABILITY; FALSE STATEMENTS

(A) No Alarm User shall operate, or cause to be operated, a security Alarm System at its Alarm Site without a valid Alarm Registration. A separate Alarm Registration is required for each Alarm Site.

(B) The fee for an Alarm Registration or an Alarm Registration renewal is set forth below. The alarm site shall be registered and permit fee collected by the Alarm Installation Company and/ or Monitoring Company as set forth in herein and Section 7. No refund of a registration or reinstatement fee will be made.

Existing Security Alarm Systems:

Any security Alarm System which has been installed before the effective date of this Ordinance shall be registered and the permit fee collected by the Alarm Installation Company and/ or Monitoring Company within 60 days after such effective date.

New Security Alarm Systems:

Any Alarm Installation Company and/ or Monitoring Company that installs a security Alarm System on protected premises located within the unincorporated limits of Douglas County shall have ten (10) business days from the date of installation to notify the Alarm Administrator that a security Alarm System has been installed and send the Alarm Administrator the required information as listed in the Alarm Registration section (3) (D):

Owners of Local Alarm Systems:

Can at their discretion register their alarm with the Alarm Administrator at no cost to the Owner of the Local Alarm System. Once registered the Owner of the Local Alarm System must update the alarm Administrator per Section 3(F) and or on a yearly basis.

Failure of an Alarm Installation Company and/ or Monitoring Company to notify the Alarm Administrator of a new security Alarm System installation within ten (10) business days following installation shall result in a collection of a \$100.00 fee from the Alarm Installation Company and/or Monitoring Company.

The initial Alarm Registration fee must be submitted to the Alarm Administrator at the same time as the registration application or within ten (10) business days following an Alarm System Takeover, Conversion or new alarm system added (only one registration fee per alarm site will be collected per year, excluding the re-registration fees).

It shall be the responsibility of the Alarm Installation Company and/ or Monitoring Company to forward to the Alarm Administrator the Alarms User's completed application, the notice of the new system and the appropriate fees within ten (10) business days of installation.

- 1) Registration Fees - \$40.00 annually (based on a calendar year)
- 2) If the registration fee is not paid, then a suspension of response, pursuant to Section 9, will be placed at that Alarm Site location.
- 3) The Alarm Installation Company and/ or Monitoring Company are responsible for the collection of permit renewal fees from their respective customers and payment to the Douglas County Sheriff's Office.

(C) Upon receipt of a completed Alarm Registration application form and the Alarm Registration fee, the Alarm Administrator shall register the applicant unless the applicant has:

- (1) failed to pay a fee assessed under Section 7; or

- (2) had an Alarm Registration for the Alarm Site suspended and the violation causing the suspension has not been corrected; or
 - (3) Selected an Alarm Installation Company and/ or Monitoring Company that has failed to register or pay their registration fee to the Douglas County Sheriff's Office
- (D) Each Alarm Registration application must include the following information:
- (1) the name, complete address (including apt/suite number), and telephone numbers of the person or entity who will be the registration holder and be responsible for the proper maintenance and operation of the Alarm System and payment of fees assessed under this Section;
 - (2) the classification of the Alarm Site as either residential (includes apartment, condo, mobile home, etc.) or commercial;
 - (3) for each security Alarm System located at the Alarm Site, the classification of the security Alarm System (i.e. burglary, holdup, duress, Panic Alarms or other) and for each classification whether such Alarm is audible or silent;
 - (4) mailing address, if different from the address of the Alarm Site;
 - (5) any dangerous or special conditions present at the Alarm Site i.e. dog or other hazards;
 - (6) type of business conducted at a commercial Alarm Site;
 - (7) signed certification from the Alarm User stating the following:
 - (a) the date of installation, Conversion or Takeover of the security Alarm System, whichever is applicable;
 - (b) the name, address, and telephone number of the Alarm Installation Company and/ or Monitoring Company or companies performing the security Alarm System installation, Conversion or Takeover and of the Alarm Installation Company and/ or Monitoring Company responsible for providing repair service to the security Alarm System;
 - (c) the name, address, and telephone number of the Monitoring Company if different from the Alarm Installation Company;
 - (d) that a set of written operating instructions for the security Alarm System, including written guidelines on how to avoid False

Alarms, have been left with the applicant by the Alarm Installation Company and/ or Monitoring Company; and

(e) the Alarm Installation Company and/ or Monitoring Company has trained the applicant in proper use of the security Alarm System, including instructions on how to avoid False Alarms.

(8) an acknowledgement that the Douglas County Sheriff's Office response may be influenced by factors including, but not limited to the availability of deputies, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, past Alarm history and administrative actions etc.

(9) a customer False Alarm Prevention Checklist, completed by the Alarm User, must accompany a new customer registration application.

(E) Any false statement of a material fact made by an applicant for the purpose of obtaining an Alarm Registration shall be sufficient cause for refusal to issue a registration.

(F) An Alarm Registration cannot be transferred to another person or Alarm Site. The Alarm Installation Company and/ or Monitoring Company shall inform the Alarm Administrator of any change that alters any of the information listed on the Alarm Registration application within ten (10) business days of such change.

(G) All fees owed by an applicant or Alarm Installation Company and/ or Monitoring Company must be paid before an Alarm Registration may be issued or renewed.

(H) Government entities, including but not necessarily limited to the Douglas County Government, must obtain permits for all Alarm Systems on property under their control within the boundaries of unincorporated Douglas County, but are exempt from the payment of permit and renewal fees. Government entities are subject to all other applicable section requirements.

SECTION 3.1. ALARM REGISTRATION DURATION AND RENEWAL

An Alarm Installation Company and/ or Monitoring Company Alarm Registration shall expire December 31st of the year of issuance, and must be renewed annually by submitting updated information and a registration renewal fee to the Alarm Administrator. The Alarm Administrator shall notify each Alarm Installation Company and/ or Monitoring Company of the need to renew sixty (60) days prior to the expiration of the registration. It is the responsibility of the Alarm Installation Company and/ or Monitoring Company to submit an application and renewal fees prior to the registration expiration date. Failure to renew will be classified as use of a non-registered security Alarm System and subject the Alarm Site to a suspension.

SECTION 4. DUTIES OF THE ALARM USER

(A) An Alarm User shall:

- (1) maintain the Alarm Site and the security Alarm System in a manner that will minimize or eliminate False Alarms;
- (2) make every reasonable effort to have a responder to the security Alarm System's location within 30 minutes when requested by the law enforcement agency in order to:
 - (a) deactivate a security Alarm System;
 - (b) provide access to the Alarm Site; and/or;
 - (c) provide alternative security for the Alarm Site.
- (3) Not activate a security Alarm System for any reason other than an occurrence of an event that the Alarm System was intended to report;
- (4) provide names and telephone numbers to their Alarm Installation Company and/ or Monitoring Company of at least two individuals (if possible) who are able and have agreed to: (a) receive notification of a security Alarm System activation at any time; (b) respond to the Alarm Site within 30 minutes at any time in a safe manner; and (c) upon request can grant access to the Alarm Site and deactivate the Alarm System if necessary;

(B) An Alarm User shall adjust the mechanism or cause the mechanism to be adjusted so that an Alarm signal audible on the exterior of an Alarm Site will sound for no longer than ten (10) minutes after being activated.

(C) After two (2) False Alarms within a calendar year, the Alarm User must have an Alarm Installation Company and/ or Monitoring Company inspect and modify the Alarm System to be more False Alarm resistant or provide additional user training as appropriate and abide by provisions of Section 11 Reinstatement. [See Appendix A for Installers False Alarm Prevention Checklist]

(D) An Alarm User shall not use Automatic Voice Dialers.

(E) An Alarm User shall maintain at each Alarm Site, a set of written operating instructions for each security Alarm System.

(F) All Alarm Users shall agree with the Alarm Installation Company and/ or Monitoring Company to go through an "acclimation period" for the first ten (10) business days after installation of an Alarm System during which time the Alarm Installation Company and/ or Monitoring Company will have no obligation to and will not respond to any Alarm signal from the Alarm Site, excluding panic, duress

and hold up signals, and will not make an Alarm Dispatch Request to law enforcement even if the Alarm signal is a result of an actual Alarm event. The Alarm Administrator has the authority to waive the acclimation period.

SECTION 5. DUTIES OF ALARM INSTALLATION COMPANY AND MONITORING COMPANY

(A) Each Alarm Installation Company and/or Monitoring Company shall designate one individual as the Alarm Response Manager (ARM) for the company. The individual designated as the ARM shall be knowledgeable of the provisions of this Ordinance, as well as have the knowledge and authority to deal with False Alarm issues and respond to requests from the Alarm Administrator. The name, contact number and email address of the ARM shall be provided to the Alarm Administrator. Failure to comply within thirty (30) days after being notified in writing from the Alarm Administrator may result in the suspension of law enforcement response to the Alarm Installations Company's or Alarm Monitoring Company's Alarm Users.

(B) The Alarm Installation Company and/ or Monitoring Company shall provide written and oral instructions to each of its Alarm Users in the proper use and operation of their security Alarm Systems. Such instructions will specifically include all instructions necessary to turn the security Alarm System on and off and to avoid False Alarms.

(C) Upon the installation or activation of a security Alarm System, the Alarm Installation Company and/ or Monitoring Company shall distribute to the Alarm User information summarizing:

- (1) the applicable Ordinance relating to False Alarms, including the potential for penalties and revocation or suspension of an Alarm permit;
- (2) how to prevent False Alarms;
- (3) how to operate the security Alarm System; and
- (4) ensure that all Alarm Users of security Alarm Systems equipped with Duress, Holdup or Panic Alarm are given adequate training as to the proper use of the Duress, Holdup or Panic Alarm;
- (5) verify all Burglar Alarms by utilizing ECV= Enhanced call Verification

(D) After the effective date of this Ordinance, Alarm Installation Company's and/ or Monitoring Company's shall not program Alarm Systems so that they are capable of sending One Plus Duress Alarms. Monitoring Companies may continue to report One Plus Duress Alarms received from Alarm Systems programmed with One Plus Duress Alarms prior to enactment of this Ordinance. However, upon the effective date of this Ordinance, when a Takeover or Conversion occurs or if an Alarm User requests an Alarm System inspection or

modification pursuant to Section 4(C) of this Ordinance, an Alarm and/ or Monitoring Company must remove the One Plus Duress Alarm capability from such Alarm Systems.

(E) After the effective date of this Ordinance, Alarm Installation Company's and/or Monitoring Company's shall not install a device to activate a Holdup Alarm, which is a single action, non-recessed button.

(F) Ninety (90) days after enactment of this Ordinance Alarm Installation Company's and/ or Monitoring Company's shall, on new installations, use only Alarm control panel(s) which meets or exceeds ANSI/SIA CP-01- Control Panel Standard - Features for False Alarm Reduction.

(G) An Alarm Installation Company and/ or Monitoring Company shall not use Automatic Voice Dialers to activate a law enforcement response.

(H) After completion of the installation of a security Alarm System, the Alarm Installation Company and/or Monitoring Company employee shall review with the Alarm User the Customer False Alarm Prevention Checklist (Appendix B) or an equivalent checklist approved by the Alarm Administrator.

(I) An Alarm Installation Company and/ or Monitoring Company shall:

- (1) report Alarm signals by using telephone numbers designated by the Alarm Administrator;
- (2) verify (ECV) all Burglar Alarms by utilizing ECV before requesting a deputy's response. The Douglas County Sheriff's Office may refuse to accept Burglar Alarms that have not been verified by ECV.
- (3) communicate Alarm Dispatch Requests to the Douglas County Sheriff's Office in a manner and form determined by the Alarm Administrator;
- (4) communicate Cancellations to the Douglas County Sheriff's Office in a manner and form determined by the Alarm Administrator;
- (5) ensure that all Alarm Users of security Alarm Systems equipped with a Duress, Holdup or Panic Alarm are given adequate training as to the proper use of the Duress, Holdup or Panic Alarm;
- (6) communicate any available information (north, south, front, back, floor, etc.) about the location on all Alarm signals related to the Alarm Dispatch Request;
- (7) communicate type of Alarm activation (silent or audible, interior or perimeter);

- (8) provide an Alarm User registration number when requesting a deputy's dispatch;
- (9) after an Alarm Dispatch Request, promptly advise the Douglas County Sheriff's Office if the Alarm Installation Company and/ or Monitoring Company knows that the Alarm User or the responder is on the way to the Alarm Site;
- (10) give notice to the Alarm User or responder within 24 hours via mail, fax, telephone, electronic mail, text messaging or other means when an Alarm Dispatch Request is made; and
- (11) upon the effective date of this Ordinance, Monitoring Companies must maintain for a period of at least one (1) year from the date of the Alarm Dispatch Request, records relating to Alarm Dispatch Requests. Records must include the name, address and telephone number of the Alarm User, the Alarm System zone(s) activated, the time of Alarm Dispatch Request and evidence of an attempt to verify. The Alarm Administrator may request copies of such records for individually named Alarm Users. If the request is made within sixty (60) days of an Alarm Dispatch Request, the Alarm Installation Company and/ or Monitoring Company shall provide to the Alarm Administrator the requested records within three (3) business days of receiving the request. If the records are requested between sixty (60) days to one (1) year after an Alarm Dispatch Request, the Alarm Installation Company and/ or Monitoring Company shall furnish the requested records within thirty (30) days of receiving the request.
- (12) upon the effective date of this Ordinance, Monitoring Companies must immediately provide the Sheriff's Office with the names and phone numbers of the Alarm User's emergency contacts, at the time of the Alarm Dispatch Request or within 20 minutes after the Alarm Dispatch Request if the Sheriff's Office calls back to request the information.

(J) An Alarm Installation Company and/or Monitoring Company that purchases Alarm System accounts from another person shall notify the Alarm Administrator of such purchase and provide details as may be reasonably requested by the Alarm Administrator within ten (10) business days of the purchase.

(K) An Alarm Installation Company and/or Monitoring Company shall provide the Alarm Administrator with a complete list of active customers, annually, as part of their collection of their Alarm Users annual registration fee renewal and to assist the Alarm Administrator with creating and maintaining the law enforcement's tracking database. The customer information will be provided in a format the Alarm Installation Company and/ or Monitoring Company is capable of producing and will include the following:

- (1) Permit Number

- (2) Customer name
- (3) Alarm Site address
- (4) Installation or activation date
- (5) Alarm company License number

SECTION 5.1 LICENSE OR LICENSING

All Alarm Installation Company and/ or Monitoring Company shall pay an annual registration fee of \$100.00 to The Douglas County Sheriff's Office. The Alarm Administrator shall issue a registration license to each applicant that successfully submits a registration form provided by the Alarm Administrator and the registration fee. The Alarm Administrator will notify each Alarm Company thirty (30) days prior to the annual renewal date.

SECTION 6. DUTIES AND AUTHORITY OF THE ALARM ADMINISTRATOR

(A) The Alarm Administrator shall:

- (1) designate a manner, form and telephone numbers for the communication of Alarm Dispatch Requests; and
- (2) establish a procedure to accept Cancellation of Alarm Dispatch Requests.

(B) The Alarm Administrator shall establish a procedure to record such information on Alarm Dispatch Requests necessary to permit the Alarm Administrator to maintain records, including, but not limited to, the information listed below:

- (1) identification of the registration number for the Alarm Site;
- (2) identification of the Alarm Site;
- (3) date and time Alarm Dispatch Request was received, including the name of the Alarm Installation Company and/ or Monitoring Company and the Monitoring operator name or number;
- (4) date and time of a deputy's arrival at the Alarm Site;
- (5) zone and zone description, if available;
- (6) identification of the responsible Alarm Installation Company and/ or Monitoring Company;
- (7) disposition of Alarm for example no criminal activity observed.

(C) The Alarm Administrator shall establish a procedure for the notification to the Alarm User after every False Alarm. The notice shall include the following information:

- (1) the date and time of a deputy's response to the False Alarm; and
- (2) the number of False Alarms at the location; and
- (3) after two (2) False Alarms a statement notifying the Alarm Installation Company and/ or Monitoring Company and the Alarm User that the Alarm Site has been placed on suspension, and will include information about reinstatement.

(D) The Alarm Administrator may require a conference with an Alarm User and the Alarm Installation Company and/ or Monitoring Company responsible for the repair or Monitoring of the Alarm System to review the circumstances of each False Alarm.

(E) The Alarm Administrator may require an Alarm User to remove a Holdup Alarm that is a single action, non-recessed button, if a false Holdup Alarm has occurred.

(F) The Alarm Administrator will make a copy of this Ordinance and/or an Ordinance summary sheet available to the Alarm User.

(G) The Alarm Administrator shall have the authority to exempt an Alarm System from the provisions of this Ordinance upon the presentation to the Alarm Administrator of satisfactory evidence that the Alarm System will not result in an Alarm Dispatch Request to the Douglas County Sheriff.

(H) Within ninety (90) days of the adoption of this ordinance the Alarm Administrator shall create a procedure to exempt eligible seniors from this ordinance.

SECTION 7. FEES FOR SERVICES

(A) Burglar

The Alarm Site shall be subject to re-registration fees for services, depending on the number of False Alarms within a one year calendar period (permit period) based upon the following schedule:

(1) False Alarm Fees		
	# of False Alarms	Fees for service
	1	Complimentary
	2	Complimentary (suspension letter sent)

(Alarm will be suspended after two (2) False Alarms) See Section 11. Reinstatement

(B) Holdup Alarms, Panic Alarms and Robbery Alarms

Activation of a Holdup Alarm, Panic Alarm or a Robbery Alarm (bank, hold up or Panic Alarm) shall be deemed an intentional act. A fee assessed to the Alarm User shall be imposed on every False Holdup, Panic and Robbery Alarms that generates a law enforcement response.

Fee schedule for: Holdup Alarms, Panic Alarms and Robbery Alarms at commercial properties.

- 1 – 3 false Alarms within a one year calendar period.....\$100
- 4 – Or more false Alarms within a one year calendar period \$200

(C) Non-registered Alarm Systems

Any person or Alarm Installation Company and/ or Monitoring Company operating a non-registered Alarm System will be subject to a fee of \$100 for each False Alarm in addition to any other fee. The Alarm Administrator may waive this additional fee for a non-registered system if the Alarm User successfully submits an application for Alarm Registration within ten (10) business days after notification of such violation and pays the registration fee.

(D) If Cancellation occurs prior to a deputy arriving at the scene, this shall be counted as a False Alarm. All Alarm Dispatch Requests once accepted by Douglas County Communications count as a False Alarm unless the Alarm is found to be valid.

(E) The Alarm Installation Company and/ or Monitoring Company shall be issued a fee of \$100 for each failure to verify Alarm System signals as specified in Section 5(I)(2).

(F) The Alarm Installation Company and/ or Monitoring Company shall be issued a fee of \$200 if the Alarm Administrator determines that an Alarm Installation Company and/ or Monitoring Company employee knowingly made a false statement concerning the inspection of an Alarm Site or the performance of an Alarm System.

(G) Notice of the right of appeal under this Ordinance will be included with any fees.

(H) All registration fees, renewal registration fees, service fees or fines assessed under this Section are due within thirty (30) days of written notice unless otherwise noted. A late fee of \$25 shall be assessed for each individual registration fee due and all other fees due that are not paid within thirty (30) days. An additional late fee of \$25 shall be assessed on all late fees not paid within 30 days of written notice.

SECTION 8. NOTIFICATION

The Alarm Administrator shall notify the Alarm User in writing after every False Alarm.

The Alarm Administrator will notify the Alarm User and the Alarm Installation Company and/ or Monitoring Company in writing after Alarm response has been suspended, including for Duress, Holdup, Panic and Robbery Alarms. This notice of suspension will also include the amount of the fee (if applicable) or re-registration and a description of the appeals procedure available to the Alarm User and the Alarm Installation Company and/ or Monitoring Company.

SECTION 9. SUSPENSION OF RESPONSE

(A) The Alarm Administrator may suspend Douglas County Sheriff's Office response to an Alarm Site by revoking the Alarm Registration if it is determined that:

- (1) the Alarm User has two (2) or more False Alarms in a calendar year;
- (2) there is a statement of a material fact known to be false in the application for a registration;
- (3) the Alarm User has failed to pay any fee assessed under Section 7; or
- (4) the Alarm User has failed to submit a written letter from an Alarm Installation Company and/ or Monitoring Company, stating that the security Alarm System has been inspected and repaired (if necessary) and/or additional training has been conducted by the Alarm Installation Company and/ or Monitoring Company.
- (5) The Alarm User has selected an Alarm Installation Company and/ or Monitoring Company that does not have a valid Douglas County Sheriff's Office Alarm registration license.

(B) An Alarm Installation Company and/ or Monitoring Company commits an offense if it operates an Alarm System during the period in which the Alarm Registration is suspended and is subject to enforcement and penalties set in Sections 7 and 12. An Alarm Installation Company and/ or Monitoring Company commits an offense if it continues Alarm Dispatch Requests to an Alarm Site after notification by the Alarm Administrator that the registration has been suspended. The Alarm Installation Company and/ or Monitoring Company will receive a \$100 fee for each dispatch to an Alarm Site that is not registered or registration is suspended and is subject to enforcement and penalties set forth in Section 12. If the \$100 fee is not paid within 30 days, the Alarm Installation Company and/ or Monitoring Company may have their registration license suspended.

(C) Unless there is separate indication that there is a crime in progress, the Douglas County Sheriff's Office will refuse a deputy response to an Alarm Dispatch Request at an Alarm Site for which the Alarm Registration is suspended.

(D) If the Alarm Registration is reinstated pursuant to Section 11, the Alarm Administrator may again suspend Douglas County Sheriff's Office response to the Alarm Site by again suspending the Alarm Registration if it is determined that two (2) False Alarms have occurred within the same registration year.

SECTION 10. APPEALS

(A) If the Alarm Administrator assesses a fee or denies the issuance, renewal or reinstatement of an Alarm Registration, the Alarm Administrator shall send by United States Postal Service Registered Mail a written notice of the action and a statement of the right to an appeal to the affected applicant or Alarm User and the Alarm Installation Company and/ or Monitoring Company.

(B) The Alarm User, Alarm Installation Company and/ or Monitoring Company may appeal an assessment of a fee or the suspension of an Alarm Registration to the Alarm Administrator by setting forth in writing the reasons for the appeal within fifteen (15) business days after receipt of the fee or notice of suspension.

(C) The Alarm User or the Alarm Installation Company and/ or Monitoring Company may appeal the decision of the Alarm Administrator to the Sheriff or designee as follows:

- (1) The applicant, Alarm User, Alarm Installation Company and/ or Monitoring Company may file a written request for a review by paying an appeal fee of \$25 and setting forth the reasons for the appeal. The appeal must be made within fifteen (15) business days after the date of notification of the decision from the Alarm Administrator. Appeal fees will be returned to the appealing Alarm User, Alarm Installation Company or Monitoring Company if the appeal is upheld.
- (2) The Sheriff or designee shall review the finding of the Alarm Administrator within thirty (30) days of the receipt of the request and consider the evidence by any interested person(s). The Sheriff or designee shall make his decision on the basis of the preponderance of evidence presented. The Sheriff or designee must render a decision within fifteen (15) days. The Sheriff or designee shall affirm or reverse the decision of the Alarm Administrator and issue his decision in writing to the appealing party via United States Postal Service Registered Mail.

(D) Filing of a request for appeal shall stay the action by the Alarm Administrator revoking an Alarm Registration or requiring payment of a fee, until the Sheriff or designee has completed his review. If a request for appeal is not made within the fifteen (15) business day period, the action of the Alarm Administrator is final.

(E) Alarm Administrator or Sheriff or designee may adjust the count of False Alarms for good cause including, but not limited to:

- (1) Evidence that a False Alarm was caused by action of a communication services provider (i.e. telephone, cellular, cable company);
- (2) Evidence that a False Alarm was caused by power outage lasting longer than four (4) hours or severe weather such as a tornado or earthquake;

- (3) Evidence that the Alarm Dispatch Request was not a False Alarm;
- (4) Evidence that the deputy response was not completed;
- (5) Evidence that the Alarm User remitted payment to the Alarm Installation Company and/ or Monitoring Company intended to pay for the registration and the Alarm Installation Company and/ or Monitoring Company failed to pass on the registration to the Alarm Administrator.

(F) With respect to fees of an Alarm Installation Company and/ or Monitoring Company the Alarm Administrator or Sheriff or designee may take into consideration whether the Alarm Company had engaged in a consistent pattern of violations.

SECTION 11. REINSTATEMENT

(A) A person whose Alarm Registration has been suspended may, at the discretion of the Alarm Administrator or the Sheriff or designee, have the Alarm Registration reinstated by the Alarm Administrator or the Sheriff or designee if the person:

- (1) submits a new application and pays a \$100.00 reinstatement fee. The Alarm User is still subject to all annual renewal registration fees collected by their Alarm Installation Company and/ or Monitoring Company;
- (2) pays, or otherwise resolves, all outstanding citations, fees; and
- (3) submits a letter from an Alarm Installation Company and/ or Monitoring Company, stating that the security Alarm System has been inspected and repaired (if necessary) by the Alarm Installation Company and/ or Monitoring Company;

(B) In addition, the Alarm Administrator may require one or more of the following as a condition to reinstatement:

- (1) upgrade the Alarm control panel to meet SIA Control Panel Standard CP-01;
- (2) a written statement from an independent inspector designated by the Sheriff or designee that the security Alarm System has been inspected and is in good working order;
- (3) confirmation that all motion detectors are “dual technology” type;
- (4) confirmation that the security Alarm System requires two independent zones to trigger before transmitting an Alarm signal to the Alarm Installation Company and/ or Monitoring Company;

- (5) confirmation that the security Alarm System requires two independent detectors to trigger before transmitting an Alarm signal to the Alarm Installation Company and/ or Monitoring Company;
- (6) certification that the Alarm Installation Company and/ or Monitoring Company will not make an Alarm Dispatch Request unless the need for a deputy is confirmed by a listen-in device;
- (7) certification that the Alarm Installation Company and/ or Monitoring Company will not request an Alarm Dispatch unless the need for a deputy is confirmed by a camera device; or
- (8) certification that the Alarm Installation Company and/ or Monitoring Company will not make an Alarm Dispatch Request unless the need for a deputy is confirmed by a person at the Alarm Site; or
- (9) the Alarm User successfully completes an alarm awareness class and test.

SECTION 12. ENFORCEMENT AND PENALTIES

Any act or omission in violation of any of the provisions of this Ordinance shall constitute a class 2 petty offense and, upon conviction thereof, shall be punishable by a fine not to exceed \$ 250 for each separate violation.

SECTION 12.5 DISPOSITION OF FINES

All fines imposed and collected pursuant to Section 12 of this Ordinance shall be paid to the Douglas County Treasurer.

SECTION 13. CONFIDENTIALITY

In the interest of public safety, all information contained in and gathered through the Alarm Registration applications and applications for appeals shall be held in confidence by all employees or representatives of the Douglas County Sheriff's Office and by any third-party administrator or employees of a third-party administrator with access to such information to the extent permissible by law.

SECTION 14. GOVERNMENT IMMUNITY

Alarm Registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an Alarm Registration, the Alarm User and Alarm Installation Company and/ or Monitoring Company acknowledges that Douglas County Sheriff's Office response may be influenced by factors such as: the availability of deputy

units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, prior response history and administrative actions.

SECTION 15. SEVERABILITY

The provisions of this Ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

Ordinances in conflict herewith are hereby repealed to the extent of such conflict. This Ordinance shall take effect 30 days from the date of publication after its second reading.

INTRODUCED, READ AND ADOPTED ON FIRST READING ON THE 11th day of December, 2007 and ordered published in full in the Douglas County News-Press in Castle Rock, Douglas County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS COLORADO**

BY: _____
Steven A. Boand, Chair

ATTEST:

Deputy Clerk to the Board

**ADOPTED, AS AMENDED, ON SECOND AND FINAL READING ON
JANUARY 23rd, 2008, and ordered published in full in the Douglas County News-Press.**

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS COLORADO**

BY: _____
Melanie A. Worley, Chair

ATTEST:

Deputy Clerk to the Board

CERTIFICATE

I hereby certify that the foregoing Ordinance No. O-007-004 was introduced, read and adopted on first reading at the regulation meeting of the Board of County Commissioners of the County of Douglas on December 11, 2007, and the same was published in full in the Douglas County News-Press, a newspaper of general circulation published in Douglas County, on December 20, 2007, and thereafter was adopted, as amended, on second and final reading at a regular public hearing of the Board of County Commissioners of the County of Douglas held on January 23, 2008. Said Ordinance was published in full on February 7, 2008. Said Ordinance went into effect on March 8, 2008.

Deputy Clerk to the Board

State of Colorado)
)ss.
County of Douglas)

Subscribed and sworn to before me this ____ day of February, 2008, by Melissa Pelletier, Deputy Clerk to the Board.

Notary Public

My Commission expires: _____

CERTIFICATION

I, Melissa Pelletier, Douglas County Deputy Clerk to the Board, do hereby certify that the foregoing Ordinance No. O-007-004, entitled: **AN ORDINANCE FOR THE REGULATION AND LICENSING OF ALARM SYSTEMS IN THE UNINCORPORATED AREAS OF DOUGLAS COUNTY; ESTABLISHING REGISTRATION AND LICENSING PROCEDURES AND FEES FOR ALARM INSTALLATION COMPANIES AND/OR MONITORING COMPANIES; OPERATIONAL STANDARDS FOR ALARM SYSTEMS; AND PRESCRIBING THE PENALTIES FOR VIOLATIONS THEREOF**, is a true, correct and complete copy from the records in my office, that said Ordinance was duly adopted by the Board of County Commissioners of Douglas County and is in full force and effect.

Deputy Clerk to the Board

Appendix A:
INSTALLER FALSE ALARM PREVENTION PROGRAM CHECKLIST

- | Yes | No | |
|-------|-------|---|
| _____ | _____ | 1. If a duress feature was installed, I thoroughly explained it and I did <u>not</u> program the system so that the duress code is only one digit different than the normal code. |
| _____ | _____ | 2. I checked that the control panel complies with the <u>SIA Control Panel Standard CP-01</u> and has been programmed so that: |
| _____ | _____ | a. it will not transmit more than one (1) Alarm signal from the same zone until manually restored at the premises; |
| _____ | _____ | b. it will delay at least fifteen seconds before initiating dialing on intrusion Alarm signals; |
| _____ | _____ | c. it has adequate delay time on entry/exit doors (delay of 45 seconds or more is recommended); and |
| _____ | _____ | d. a cancel code can be entered by the customer to cancel accidental Alarms. |
| _____ | _____ | 3. I checked that police and fire panic buttons cause a siren or speaker to sound and that medical panic buttons cause an audible signal. |
| _____ | _____ | 4. I checked that the Arming Station(s) emit sound to inform occupants when an entry/exit door sensor has been triggered. |
| _____ | _____ | 5. I installed and tested standby/backup power. |
| _____ | _____ | 6. Reviewed the "Customer False Alarm Checklist" with the customer and explained the requirement of Enhanced Call Verification. |
| _____ | _____ | 7. I determined whether the customer had telephone features, such as call waiting, DSL or VoIP, and took steps to allow proper control panel dialing and Monitoring center verification. |
| _____ | _____ | 8. I checked that the control panel was properly grounded to the manufacturer's specifications. |
| _____ | _____ | 9. I checked that all door and window contacts were properly selected, installed and tested. I considered loose fitting doors and windows, whether wide gap contacts were needed, and steel doors and windows. I followed the manufacturer's installation instructions. |
| _____ | _____ | 10. I checked all glass breakage sensors were properly selected, installed and tested. I gave consideration to pets, on-site noises and the general environment. I followed the manufacturer's installation instructions. |
| _____ | _____ | 11. All motion type detectors were properly selected, properly installed and tested. I gave consideration to pets, sunlight, other heat sources, and harsh environments. I followed the manufacturer's installation instructions. |

Please explain if you answered "No" to any of the above items: _____

 Alarm Company

 Installation Technician Print

 Signature Date

Appendix B:
CUSTOMER FALSE ALARM PREVENTION CHECKLIST

- | | | |
|-----|-----|--|
| Yes | No | |
| ___ | ___ | 1. I have been made aware of the applicable Alarm Ordinance and I will comply with its requirements. YEARLY PERMIT REQUIRED |
| ___ | ___ | 2. I understand it is my responsibility to prevent False Alarms, and I understand it is critical to assure that all users of the system (such as residents, employees, guests, cleaning people, and repair people) are trained on the proper use of the system and its operation. |
| ___ | ___ | 3. I understand that there is a ten (10) no dispatch period for INTRUSION Alarms, during which time the Alarm company will have no obligation to and will not respond to any Alarm signal from my Alarm Site and will not make an Alarm Dispatch Request to the police, even if the Alarm signal is the result of an actual Alarm event. |
| ___ | ___ | 4. I received training in the operation of the system, was provided an operating sheet and the security system operating manual. |
| ___ | ___ | 5. I know what Enhanced Call Verification is and that it's required. |
| ___ | ___ | 6. I know how to test the system and contact the Monitoring center. |
| ___ | ___ | 7. I understand that my entry time is ___ and my exit time is ___. |
| ___ | ___ | 8. I have the phone number for questions or repair service. |
| ___ | ___ | 9. I know how to cancel accidental Alarm activations and have the system Cancellation code or code word. |
| ___ | ___ | 10. I understand that indoor pets can cause False Alarms and I will contact my Alarm company if I acquire any additional indoor pets. |
| ___ | ___ | 11. I understand that the main control panel and transformer are located in _____. |
| ___ | ___ | 12. I have an Alarm sheet, which describes how the Alarm Company will communicate with me in the event of various Alarm signals. |
| ___ | ___ | 13. I understand the importance of: <ul style="list-style-type: none"> ▪ keeping my emergency contact information updated and I know how to do this; ▪ immediately advising the Alarm company if my phone number changes (including area code changes); and ▪ immediately notify my Alarm Company of any changes to my telephone service such as call waiting, VoIP, DSL or a fax line. |
| ___ | ___ | 14. I will advise the Alarm Company if I do any remodeling (such as painting, moving walls, doors or windows). |
| ___ | ___ | 15. I understand that certain building defects (such as loose fitting doors or windows, rodents, inadequate power, and roof leaks) can cause False Alarms. I will correct these defects as I become aware of them. |
| ___ | ___ | 16. The Alarm Company has given me written False Alarm prevention techniques to help me prevent False Alarms. |

Comments: _____

ALARM COMPANY NAME

CUSTOMER

Print

Print

Installer Print

Signature

Date

Date