

TITLE II - CITY CODE
Chapter 41 - FALSE ALARMS

ARTICLE II. INTRUSION ALARM SYSTEMS

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[Sec. 41.05. Registration.](#)

[Sec. 41.06. Registration Application for Intrusion Alarm Systems.](#)

[Sec. 41.07. Alarm Installation Companies.](#)

[Sec. 41.08. Monitoring Companies.](#)

[Sec. 41.09. Cancellation of Alarm Dispatch Requests.](#)

[Sec. 41.10. False Alarm Notices and Warning Letters.](#)

[Sec. 41.11. Exemptions.](#)

[Sec. 41.12. Fines.](#)

[Sec. 41.13. Appeals.](#)

Sec. 41.05. Registration.

- (1) An alarm user shall obtain a valid alarm registration prior to operating or causing an alarm system to be operated at an alarm site. A separate alarm registration is required for each alarm site. A registration shall expire one year from the date of issuance and must be renewed annually by the alarm user by submitting an updated application and a registration renewal form to the Alarm Coordinator.
- (2) An alarm registration cannot be transferred to another person or another alarm site.
- (3) All fees and fines owed by an applicant must be paid before an alarm registration may be issued or renewed.
- (4) Upon receipt of a completed registration application, the Alarm Coordinator shall register the applicant, unless the applicant is in arrears on a previously assessed fine for false alarms.
- (5) All alarm systems installed prior to the enactment of this ordinance shall be registered within 90 days of the effective date of this ordinance.

(Ord. of 12-16-1996, Doc. #29898; Ord. No. 2010-45, § 2, 10-4-2010, Doc. #1010041102; Ord. No. 2012-36, § 1, 3-25-2012, Doc. #1303251203)

Sec. 41.06. Registration Application for Intrusion Alarm Systems.

- (1) In order to be approved, an alarm registration or renewal application must include:
 - (a) the name, complete address, and telephone number of the person who will be the registration holder, be responsible for the proper maintenance and operation of the alarm system and payment of fees and fines assessed under this chapter;
 - (b) the classification of the alarm site as either residential or commercial. Apartments, condominiums and manufactured homes are considered residential;
 - (c) the classification of the alarm system for each alarm located at the alarm site. Classifications include, but are not limited to: burglary, holdup, bank, duress, intrusion, and panic alarms;

TITLE II - CITY CODE
Chapter 41 - FALSE ALARMS

ARTICLE II. INTRUSION ALARM SYSTEMS

- (d) whether the alarm system is audible or silent;
 - (e) the mailing address of the registration holder if different than the address of the alarm site;
 - (f) an indication of any dangerous or special conditions present at the alarm site including, but not limited to, guard dogs, weapons, chemical agents, and explosives;
 - (g) the names and telephone numbers of at least two responders; and
 - (h) the name and contact number of the alarm company and monitoring company for the alarm system at the alarm site.
- (2) Within 10 business days of any change that alters any of the information listed on the application, an alarm user shall inform the Alarm Coordinator of such change.
- (3) 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 and may subject applicant to prosecution as established by state or local law.

(Ord. No. 2012-36, § 2, 3-25-2013, Doc. #1303251203)

Sec. 41.07. Alarm Installation Companies.

- (1) Alarm installation companies shall ensure an Alarm Registration form is submitted by the the Alarm User for each new alarm system installed within the City limits. Failure to register an active alarm system may result in a fine to be assessed as set forth in section 41.12 of this Code.
- (2) Alarm installation companies shall:
- (a) provide written and oral instructions to each of its alarm users on how to properly use and operate the alarm systems, including instructions necessary to enable and disable the alarm systems and the practices to utilize in order to avoid activating a false alarm;
 - (b) possess a license pursuant to Chapter 489, Florida Statutes;
 - (c) only utilize alarm control panels which meet current ANSI/SIA Control Panel Standards; and
 - (d) only install dual technology or better type motion and glass break detectors.

(Ord. No. 2012-36, § 2, 3-25-2013, Doc. #1303251203)

Sec. 41.08. Monitoring Companies.

- (1) Monitoring companies shall:
- (a) report alarm signals and alarm system registration numbers by calling telephone numbers provided by the Alarm Coordinator;
 - (b) verify alarm signals prior to requesting a response by the Orlando Police Department to an alarm signal. Monitoring companies are not required to verify silent holdup, silent duress, or silent panic signals prior to requesting a response;
 - (c) call the Orlando Police Department to communicate cancellations of dispatch within 10 minutes of the original request for response to an alarm signal;
 - (d) provide all available information regarding the location of the alarm signal related to the alarm dispatch request, including apartment and suite numbers. Failure to provide complete address information will result in a fine to be assessed as set forth in Section 41.12 of this Code;

TITLE II - CITY CODE
Chapter 41 - FALSE ALARMS

ARTICLE II. INTRUSION ALARM SYSTEMS

- (e) indicate whether an alarm is silent or audible and whether the alarm signal is emanating from the interior or exterior of the alarm site;
- (f) convey all available information regarding any known dangerous, hazardous, or special conditions related to the alarm site including, but not limited to guard dogs, weapons on the property, or chemical alarms; and
- (g) maintain all records pertaining to the dispatch of any alarm signal for a period of one year; these records shall be made available to the Alarm Coordinator within 30 days of such request.

(Ord. No. 2012-36, § 2, 3-25-2013, Doc. #1303251203)

Sec. 41.09. Cancellation of Alarm Dispatch Requests.

- (1) The Orlando Police Department will accept cancellation of alarm dispatch requests if the monitoring company makes such request within 10 minutes of the original call for an alarm dispatch. A cancellation will not be accepted from any other source.
- (2) Only an alarm user may implement the cancellation of an alarm dispatch to a monitoring company.
- (3) If cancellation is received after 10 minutes of the original request, but prior to the arrival of the Orlando Police Department on scene, it will be accepted as a cancellation and the alarm user will not be subject to a false alarm fine.

(Ord. No. 2012-36, § 2, 3-25-2013, Doc. #1303251203)

Sec. 41.10. False Alarm Notices and Warning Letters.

(1) *False Alarm Notices.*

- (a) Upon response by the Orlando Police Department to an alarm dispatch and responding police officers determining the alarm is a false alarm, a False Alarm Notice will be left at the premises of the alarm site.
- (b) False Alarm Notices shall include:
 - (i) The address of the false alarm site;
 - (ii) If a residence, the name of the resident(s);
 - (iii) If a business at the false alarm site, the name of the business;
 - (iv) Time of dispatch to the false alarm; and
 - (v) The names of any responders or persons encountered at the alarm site.

(2) *Warning Letters.*

- (a) After each of the first three false alarms at a residential alarm site and after two false alarms at a commercial alarm site, the Alarm Coordinator shall mail a Warning Letter to the alarm user. Each Warning Letter shall include:
 - (i) A copy of the City of Orlando False Alarm Ordinance;
 - (ii) The dates and times of each false alarm; and
 - (iii) A requirement that the alarm system be serviced and repaired. A report of service to the alarm system shall be provided by the alarm user to the Alarm Coordinator no later than 30 days after the date of the false alarm.

TITLE II - CITY CODE
Chapter 41 - FALSE ALARMS

ARTICLE II. INTRUSION ALARM SYSTEMS

(Ord. No. 2012-36, § 2, 3-25-2013, Doc. #1303251203)

Sec. 41.11. Exemptions.

- (1) The Alarm Coordinator shall adjust the count of false alarms at an alarm site if:
- (a) a false alarm is caused by an act of God;
 - (b) a false alarm is caused by the action of a telephone, cable or other type of communications company;
 - (c) a false alarm is caused by a power outage lasting longer than 4 hours;
 - (d) evidence is presented which indicates the alarm dispatch request was not a false alarm;
 - (e) evidence is presented which indicates the alarm was installed improperly;
 - (f) Orlando Police Department response to the alarm site was in excess of one hour; or
 - (g) evidence is presented which indicates the false alarm was caused by an alarm company employee, or failure of the monitoring company to cancel an alarm dispatch request.

(Ord. No. 2012-36, § 2, 3-25-2013, Doc. #1303251203)

Sec. 41.12. Fines.

- (1) An alarm user shall be subject to fines, based on the number of false alarms within a 12-month period, calculated from the date of the first false alarm.
- (a) False alarm fines will be assessed as follows:
- (i) Residential

Number of False Alarms	Fine
1 to 3	No Fine
4 to 6	\$50.00 per false alarm
7 or more	\$100.00 per false alarm
Unregistered Alarm	\$50.00 per activation*

- (ii) Commercial

Number of False Alarms	Fine

TITLE II - CITY CODE
Chapter 41 - FALSE ALARMS

ARTICLE II. INTRUSION ALARM SYSTEMS

1 or 2	No Fine
3 or 4	\$50.00 per false alarm
5 or more	\$100.00 per false alarm
Unregistered Alarm	\$50.00 per activation*

* Fine waived if registered within ten (10) days of activation.

- (b) An alarm user or responder who refuses to respond to the alarm site when requested to do so by Police personnel, shall be assessed a fine of \$50.00 per dispatch request. The Alarm Coordinator shall waive this fine if: the Orlando Police Department is unable to contact any persons to respond to the alarm site; when the alarm user or responder is at a distance greater than 50 miles from the alarm site; when the alarm user or responder is unable to respond to the alarm site due to a medical emergency; or any other situation in which sufficient, reliable evidence is presented to the Alarm Coordinator demonstrating an alarm user's or responder's inability to respond to the alarm site.
 - (c) Any person operating an alarm system which is not registered as required by this Chapter shall be assessed a fine of \$50.00 per dispatch request. The Alarm Coordinator shall waive this fine if the alarm user submits a complete registration application within 10 days of the first false alarm.
 - (d) Any person failing to disclose the use of a chemical alarm shall be assessed a fine of \$150.00 per dispatch request.
- (2) Alarm installation companies shall be subject to the following fines:
- (a) An alarm installation company shall be assessed a fine of \$100.00 for failing to obtain a permit for each new alarm system installed within the City limits.
 - (b) An alarm installation company shall be assessed a fine of \$150.00 for each false alarm caused by an alarm installation company's technician. In these cases, a false alarm will not be counted against an alarm user.
 - (c) An alarm installation company shall be assessed a fine of \$200.00 if the Alarm Coordinator determines that an alarm installation company knowingly made a false statement concerning the inspection, performance, or repair of an alarm system at an alarm site.
 - (d) Unlicensed or improperly licensed alarm installation companies found to be selling, providing, installing, servicing, or monitoring alarm systems within the City limits shall be assessed a fine of \$250.00 per alarm system, and will be issued a Cease and Desist Order issued from the Orlando Police Department requiring immediate cessation of all such activities.
- (3) Monitoring companies shall be subject to the following fine:
- (a) A monitoring company shall be assessed a fine of \$150.00 for each failure to verify an alarm system signal as required by section 489.529, Florida Statutes.
 - (b) A monitoring company shall be assessed a fine of \$150.00 for each dispatch to an alarm site known by the monitoring company at the time of the dispatch call to be a false alarm.

TITLE II - CITY CODE
Chapter 41 - FALSE ALARMS

ARTICLE II. INTRUSION ALARM SYSTEMS

- (c) A monitoring company shall be assessed a fine of \$150.00 for each dispatch to an incomplete address, including, but not limited to omitted apartment or suite numbers, or a business name.
- (d) A monitoring company shall be assessed a fine of \$150.00 for failing to disclose the use of a chemical alarm or other known hazard at the alarm site when Police respond to that alarm site.
- (4) Automatic Voice Dialers. A person shall be assessed a fine of \$150.00 for installing, maintaining, operating or using an automatic voice dialer.
- (5) All false alarm fines assessed are due and payable within 30 days from the date of invoice.
- (6) The City shall collect outstanding fees and fines pursuant to Section 1.08 of the City Code.

(Ord. No. 2012-36, § 2, 3-25-2013, Doc. #1303251203)

Sec. 41.13. Appeals.

- (1) An alarm user may appeal the assessment of a fine to the Alarm Coordinator.
- (2) Upon commencement of an appeal, an alarm user shall submit an appeal fee of \$25.00. Appeal fees will be returned to an alarm user if the Alarm Coordinator rules in favor of the appellant.
- (3) The filing of an appeal with the Alarm Coordinator stays the assessment of fines until the Alarm Coordinator makes a final decision.
- (4) An alarm user shall file a written notice of appeal within 10 days after receipt of a fine for a false alarm to the Alarm Coordinator by setting forth the reasons for the appeal. Failure to file a notice of appeal within the 10 day period shall operate as a bar for review.
- (5) If the Alarm Coordinator denies an alarm user's appeal, the Alarm Coordinator shall send written notice of the action and a statement of the right to an appeal to the applicant or alarm user and the alarm company.
- (6) The decision of the Alarm Coordinator may be appealed to the Chief of Police or Chief's designee.
 - (a) A second appeal fee of \$50.00 shall accompany the second notice of appeal. The initial \$25.00 appeal fee and second \$50.00 appeal fee shall be refunded if the Chief of Police or the Chief's designee finds in favor of the appellant.
 - (b) Failure to file a notice of the second appeal within 10 days after the Alarm Coordinator renders a final decision shall operate as a bar for review.
 - (c) The Chief of Police or Chief's designee shall conduct a formal hearing within 30 days of the receipt of the request and consider evidence by any interested person(s). It shall be the appellant's burden to prove a case based on the preponderance of the evidence. The Chief of Police or Chief's designee shall affirm or reverse the decision of the Alarm Coordinator and issue a written decision within 10 days after the formal hearing.
 - (d) The failure of an appellant to appear at the appeal hearing shall extinguish the appeal.

(Ord. No. 2012-36, § 2, 3-25-2013, Doc. #1303251203)