

ORDINANCE NO. C-03-47

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTIONS 4-1, DEFINITIONS, 4-3, REGISTRATION; ALARM MONITORING COMPANIES, AND 4-8, PROHIBITIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING A DEFINITION OF CUSTOMER INFORMATION, PROVIDING A REQUIREMENT THAT ALARM MONITORING COMPANIES PROVIDE THEIR CUSTOMER INFORMATION DATABASES TO THE CITY OF FORT LAUDERDALE POLICE DEPARTMENT AND A PENALTY FOR FAILURE TO PROVIDE CUSTOMER INFORMATION AS REQUIRED, DELETING MOOT PROVISIONS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Fort Lauderdale, Florida, requires all companies that monitor alarms installed upon properties within the boundaries of the City of Fort Lauderdale to register with the city; and

WHEREAS, requiring alarm monitoring companies to provide to the City of Fort Lauderdale Police Department data bases containing the alarm monitoring companies' customer information would enhance the public safety of the citizens of Fort Lauderdale,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 4-1, Definitions., of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm user means any person utilizing an emergency alarm system, on the premises, whether or not the person owns the

emergency alarm, and whether or not the emergency alarm was purchased or obtained within the city.

Audible alarm means an alarm that sounds a warning bell, buzzer, siren, or other sounding device, that can be heard for fifty (50) feet or more beyond the protected premises.

Customer information means the street address of the premises, the premises owner's name, address and telephone number, and the name, address, and telephone number of any person or entity named by the customer as a contact.

Emergency alarm system means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of a fire, illegal entry, medical emergency or other activity requiring urgent attention and to which the fire department or police department is expected to respond, but does not include audible alarms installed in motorized conveyances or city-installed or city-owned emergency alarm systems.

Premises means the building or structure and adjoining property which is protected by, and upon which is installed, an emergency alarm system.

Registration fee means the amount of money charged by the city to a property owner or alarm user to monitor and be prepared to respond to alarm systems operating within the city which is only a partial reimbursement to the city for the costs it incurs in registering alarm systems.

Service fee is the amount of money charged by the city to a property owner or alarm user for a response to an alarm activation which is only a partial reimbursement to the city for the cost it incurs in responding.

SECTION 2. That Section 4-3, Registration; alarm monitoring companies., of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

All companies that monitor alarms installed upon properties within the boundaries of the city shall be required to register with the city. The initial registration fee shall be one hundred dollars (\$100.00). The annual registration renewal fee thereafter shall be one hundred dollars (\$100.00). The registration form shall be available both at the police and

fire-rescue and building departments and shall contain the following but is not limited to:

- (1) The name, address and telephone number of the alarm monitoring company.
- (2) The corporate officers or owners of the alarm monitoring company and their title or relationship to the company.
- (3) The type(s) of alarm system(s) it monitors.
- (4) The system or process to be used by the company to verify that alarm activations are legitimate and not set off by the alarm system user, owner, or their agent.

Upon registration each alarm monitoring company shall be supplied by the city with a direct dial telephone number to use to report alarm activations to the city's police department.

On or before April 1, 2004, each alarm monitoring company shall provide to the City of Fort Lauderdale Police Department, in an electronic form compatible with the Police Department's information technology equipment, the alarm monitoring company's database of current customer information for monitored premises located within the geographic bounds of the City of Fort Lauderdale. An alarm monitoring company registering for the first time with the City of Fort Lauderdale shall provide such information to the City of Fort Lauderdale Police Department within ninety (90) days following its initial registration with the City of Fort Lauderdale. Between July 1 and July 15, 2004, and twice annually thereafter, between January 2 and January 15 and between July 1 and July 15 of each year, each alarm monitoring company shall provide to the City of Fort Lauderdale Police Department, in an electronic form compatible with the Police Department's information technology equipment, the alarm monitoring company's database of current customer information for monitored premises located within the geographic bounds of the City of Fort Lauderdale.

All alarm monitoring companies shall be registered annually with the city. The registration shall be effective from January 1 to December 31 of each year.

When any information supplied in any alarm registration changes, the alarm monitoring company shall be responsible for informing the city of such changes within thirty (30) days of the change.

Pursuant to Section 281.301 of the Florida Statutes, registration documents and customer information shall be exempt from public disclosure.

SECTION 3. Section 4-8, Prohibitions., of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

(a) It is unlawful, and a violation of this chapter, when any of the following has occurred:

- (1) If any person intentionally activates any alarm system for the purpose of summoning the police department or fire-rescue and building department, except for what is reasonably believed to be a robbery, burglary, or other forcible crime on the premises, a fire on the premises, or a medical or other emergency on the premises.
- (2) If any person sells, leases, rents, installs, uses or causes to be installed or used, any telephone device, telephone attachment emergency alarm or other device which automatically transmits or causes to be transmitted a prerecorded or programmed message to report any fire, criminal or medical emergency directly to the police department or fire-rescue and building department.

- (3) If any alarm company performing monitoring services fails to make efforts to verify as legitimate every alarm signal, except a duress, holdup or fire alarm, before requesting a police response to an alarm signal.
 - (4) If an activated emergency alarm has not been silenced by the user or his agent within one (1) hour, if the alarm sounds continuously, or if the alarm sounds intermittently for more than thirty (30) minutes from the time a member of the police or fire-rescue and building department has inspected the premises. ~~Every audible alarm system, except fire alarm systems, in existence on January 1, 1997 shall be brought into conformance with the fifteen-minute automatic audible signal termination requirement no later than January 1, 2000.~~
 - (5) Every audible alarm system, except fire alarm systems, ~~installed subsequent to January 1, 1997~~ shall have a device to automatically terminate the audible signal within fifteen (15) minutes of activation.
 - (6) If any person operates an alarm system without registering it and obtaining a certificate from the city.
 - (7) If any alarm monitoring company fails to provide to the City of Fort Lauderdale Police Department customer information as required by Section 4-3 of this Chapter.
- (b) Any person found guilty of violating this section shall, upon conviction, be penalized as provided in section 1-6 of this Code.
- (c) Nothing in this chapter shall supersede or nullify the provisions of "Noise Control", Chapter 17 of this Code.

SECTION 4. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of

competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall take effect ten (10) days after its passage.

PASSED FIRST READING this the 16th day of December, 2003.

PASSED SECOND READING this the 6th day of January, 2004.

Mayor
JIM NAUGLE

ATTEST:

City Clerk
LUCY KISELA

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.