

Permit# _____

APPLICATION FOR ELECTRONIC ALARM PERMIT
CITY OF MADISON HEIGHTS, COUNTY OF OAKLAND, STATE OF MICHIGAN

I/We hereby apply for a permit to have an alarm system in operation on our premises

D/B/A: _____

Company Name (Family Name if Residence)

Street Address

Local Phone Number

Local Manager's Name

This alarm is Installed and Serviced by:

Alarm Company Name

Phone #

Street Address

City

State

Zip

Please circle the appropriate types of alarm system you will be operating:

FIRE

SECURITY

The following list of persons should be contacted in event of an emergency.

They will be able to reset the alarm and secure the premises as needed.

1.

Name

Home Phone Number

2.

Name

Home Phone Number

3.

Name

Home Phone Number

.....
I further state that I have read and understand all the provisions of City Ordinance #824 and that we shall comply with the provisions as stated therein.

Signature of Applicant

Position/Title

Dated

.....
On this ____ day of _____, 19____, before me personally appeared _____, Who being sworn, deposes and says that the statements and answers contained here are true to the best of his/her full knowledge.

Notary Public

County of

My commission Expires

.....
\$10.00 Fee Paid _____, _____, _____
Date Receipt # Clerk/Deputy Clerk

Ordinance #824-
Alarm Ordinance

City of Madison Heights

ORDINANCE NO. 824

CITY OF MADISON HEIGHTS,
OAKLAND COUNTY, MICHIGAN

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending, in part, Chapter 7, Article XI, Burglar and Fire Alarm Systems, to provide for a definition of alarm systems, to require permits for alarm systems, to provide for shutoff devices for visual and audible alarms, to provide a penalty for misrepresentations to the City by an alarm contractor, and to provide for a penalty for the violations of this Ordinance.

THE CITY OF MADISON HEIGHTS ORDAINS:

Section 1.

That Chapter 7, Article XI, of the Code of Ordinances, City of Madison Heights, Michigan, is hereby amended to read as follows:

"Article XI. Alarm System Regulations and Permits and False Alarms.

Section 7-194. Definition of Alarm System.

Alarm system is defined as a device or assembly of equipment and devices arranged to signal the presence of a hazard or condition requiring urgent attention and to which the police and/or fire departments are expected to respond. The term "alarm system" shall include but not be limited to the following types of devices: "Automatic hold-up alarm", "burglar alarm", "local alarm", "intrusion alarm", "hold-up alarm", "panic alarm", "personal emergency response alarm", "temperature fire alarm", "manual fire alarm", "fire alarm", "automatic sprinkler" and/or "water flow alarm".

(1) The following alarm systems are not regulated by this article:

(a) Alarm systems on motor vehicles unless that alarm is connected with an alarm system at a premises.

(b) Alarm systems to alert or signal persons within the premises in which the alarm system is located, of an attempted unauthorized intrusion, hold-up attempt, fire hazard, or medical emergency. However, if such an alarm system employs an audible signal emitting sounds or flashing light or beacon designed to signal persons outside the premises, such system shall be within the definition of an alarm system and regulated by this Ordinance.

Section 7-195. Permit Required for Engaging In Business of Installation, Operation and/or Maintenance.

No person, firm or corporation in the business of providing for the installation, operation and/or maintenance of an alarm system shall, from and after the effective date of this Ordinance, either install, operate or maintain an alarm system in the City of Madison Heights until such person, firm or corporation has first obtained a permit from the City for the installation, operation and/or maintenance of an alarm system.

Section 7-196. Permit Required For Owning, Leasing or Occupying Premises Equipped With Alarm System; Fees.

Notwithstanding the provisions herein, all persons, firms or corporations owning, leasing or occupying premises upon which an alarm system is installed and maintained shall, from and after the effective date of this Ordinance, obtain a permit from the City of Madison Heights. The owner, lessee or occupant of the premises shall provide the City with the following information:

- (1) Address,
- (2) Name of business/resident.
- (3) Telephone number at alarm system location,
- (4) Name and telephone number of at least two (2) persons who can respond to alarm system location within thirty (30) minutes of being summoned,
- (5) Name and telephone number of the alarm system company, and
- (6) The type of alarm.

Permit fees under this Ordinance shall be established by Resolution of Council.

Section 7-197. Audible and/or Visible Alarms.

No owner, lessee or occupant of a premises shall maintain an alarm system which emits an audible signal (bells, horns, sirens, etc.) and/or visual signal, flashing lights, etc. for a period of longer than fifteen (15) minutes from the time of the initial signaling of the device. This section shall not apply to fire alarms systems.

Alarm systems equipped with audible and/or visual devices that are not fitted with shutoff devices shall be subject to deactivation by the police or fire department. Additionally, the owner, lessee or occupant shall be subject to a Twenty Five (\$25.00) Dollar shutoff fee plus any resulting false alarm fee.

Section 7-198. False Alarms.

Whenever there is an alarm activated by mistake, negligence, faulty equipment, or by persons working on the alarm system when the police or fire department was not previously notified, and which alarm is responded to by the City of Madison Heights Police or Fire Department, that alarm shall be determined to be a false alarm unless it results from criminal activity or in the case of a fire alarm, from a fire or potential fire condition.

Section 7-199. Determination of Defective System;
Inspection by Contractor;
Correction by Owner, Lessee or
Occupant; Failure to Comply or
Discontinue System.

(1) Whenever there are more than four (4) false alarms within a calendar year emanating from a specific building, such alarm system shall be deemed to be defective. Upon written notice from the City of Madison Heights to the owner, lessee or occupant, such owner, lessee or occupant shall, within ten (10) days from the date of said notice, cause the alarm system to be inspected by a competent alarm system contractor. Within ten (10) days from the date of such inspection, it shall be the responsibility of the owner, lessee or occupant to file written documentation with the City of Madison Heights of the results of that contractor's inspection of the alarm system,

together with the findings of the probable cause of the false alarm and the measures implemented to eliminate the defect. Failure to comply with the provisions of this Ordinance or failure to eliminate the occurrence of any additional false alarms may result in the revocation of a permit. A written notice of revocation, stating the cause or causes thereof, shall be delivered to the permittee personally or sent by registered mail. Unless a written request for a hearing is filed with the City of Madison Heights within ten (10) days from the receipt of the notice of revocation, a permit shall be revoked and a permittee shall immediately discontinue operation of the alarm system.

(2) If a hearing is requested, written notice shall be served on the permittee by the City of Madison Heights by registered mail at least ten (10) days prior to the date set for hearing. The hearing shall be held before the False Alarm Review Committee and the permittee shall have the opportunity to present written and oral evidence to the Committee, subject to the right of cross-examination. If a majority of the Committee members present determine that the permittee has failed to comply with the provisions of this Ordinance and that the revocation is justified, the Committee shall issue a written finding of its recommendation to that effect with the City Manager.

(3) A permittee shall immediately discontinue use of the alarm system upon being notified by the City Manager by registered mail of the revocation of the permit. A permittee whose permit has been revoked may reapply as provided for herein and pay the following permit fees:

First permit after revocation - \$25.00

Second and subsequent permits
after revocation - \$100.00

Section 7-200. Misrepresentation by Alarm Contractor.

Any misrepresentation by an alarm contractor or any person, firm or corporation in the business of providing for the installation, operation or maintenance of alarm systems or their agents or employees as to the repair services rendered to an alarm system shall be a violation of this Ordinance and punishable by a fine of up to Five Hundred (\$500.00) Dollars for each incident.

Section 7-201. Separate Systems Required for
Separate Entrances.

Whenever a single building contains more than one (1) occupant, and each such occupant has a separate entrance, such occupants shall be required to have separate alarm systems for each business located in such building. Whenever a multiple-housing residential structure shall have separate entrances for each living quarter, each separate entrance to the living quarter shall contain separate alarm systems. This Section shall not apply to fire alarm systems.

Section 7-202. Test of System; Notification to
Police Department Required;
Violation.

It shall be the obligation of any person, firm or corporate owning, leasing or occupying the premises desiring to test an alarm systems to notify, in advance of such test, the dispatcher, in the communication section of the Fire Department if a fire alarm or medical emergency alarm is being tested or the dispatcher in the communication section of the Police Department if any other type of alarm system is being tested. Failure to take the above action shall be determined to be a false alarm.

Section 7-203. Rules and Regulations.

The City of Madison Heights Police Department and Fire Department shall adopt, subject to Council's approval, such rules and regulations as may be necessary to implement the purposes of this Ordinance.

Section 7-204. Compliance with Other Ordinance
Provisions.

No provision of this Ordinance excuses or excepts from compliance any person, firm or corporation with any other provisions of the Code of the City of Madison Heights relating to alarm systems.

Section 7-205. Complaints Committee; Purposes;
Membership; Appointment; Powers.

There shall be appointed a False Alarm Review Committee composed of six (6) members who shall review all alarm system permit revocations, where a hearing has been requested, for the purpose of

making written recommendations to the City Manager for the revocation of a false alarm permit. The members of this Committee shall be appointed for a term of two (2) years by the Council. Two (2) members shall be appointed upon the recommendation of the Chamber of Commerce, two (2) members shall be appointed upon recommendation of the Chief of Police, one (1) member shall be appointed from members of Council, and one (1) member shall be appointed by the Fire Chief. The members of this Committee shall act in an advisory capacity and the recommendation of the majority of members present shall be submitted to the City Manager who, within his or her discretion, may act on or reject the recommendations of the Committee.

Section 7-206. Penalty for Installation,
Operation, and/or Maintenance of
System Without Permit.

If any person, firm or corporation shall install, operate and/or maintain an alarm system within the City of Madison Heights without a permit or after such permit has been revoked or without having obtained a permit after revocation as provided under this Ordinance, such person, firm or corporation shall be guilty of a violation of this Ordinance which shall be punishable by a fine of not more than Five Hundred (\$500.00) Dollars and/or imprisonment for not more than thirty (30) days, or both, at the discretion of the Court. Each day that such alarm system shall be operated without a permit shall constitute a separate offense and shall be punishable accordingly.

Section 2.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 3.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance

takes effect, are saved and may be consummated according to the law in force when they were commenced.

Section 5.

This ordinance as ordered shall take effect Ten (10) days after its adoption and upon publication.

Section 6.

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 A.M. and 4:30 P.M. on regular business days.

Certification:

I, the duly authorized Clerk of the City of Madison Heights do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Madison Heights City Council on May 23, 1988.

Geraldine A. Case
City Clerk

ADOPTED: 5-23-88
PUBLISHED: 5-25-88
EFFECTIVE: 6-02-88