

**STATE OF MICHIGAN**

**COUNTY OF OAKLAND**

**CITY OF FARMINGTON**

**ORDINANCE NO. C-785-2017**

**AN ORDINANCE TO AMEND THE CITY OF  
FARMINGTON CITY CODE OF ORDINANCES,  
CHAPTER 19, "NUISANCES," ARTICLE 7, "ALARM  
SYSTEMS."**

**THE CITY OF FARMINGTON ORDAINS:**

**PART I.** That Chapter 19, "Nuisances," Article 7, "Alarm Systems," of the City of Farmington Code of Ordinances is hereby amended to read as follows in its entirety:

**Sec. 19-176. - Defined.**

Definitions, for the purpose of this Section, the following definitions shall apply:

- 1) Alarm system – An assembly of equipment and devices, or a single device, except for an alarm system on a motor vehicle, designed to detect and signal an unauthorized intrusion, presence of a hazard, or other type of emergency to which the police are expected to immediately respond. The term also includes any device which, when activated, transmits a signal to police headquarters, transmits a signal to a person who relays the information to police headquarters, or produces an audible or visible signal to which the police department is expected to respond. The term also includes any fire alarm systems and alarm systems which monitor temperature, humidity, or any other condition which is not related directly to an unauthorized intrusion are not included in this article.
- 2) Alarm user – The owner of the land or premises within which an alarm system is installed, the tenant, occupant or person having possession or control of any premises in which an alarm system is installed, and any person having actual or constructive possession of an alarm system, when such alarm signals the presence of a hazard.
- 3) False alarm – the activation of an alarm system under circumstances where no police emergency exists at the alarm site and when activation results in a response by a law enforcement agency. This definition includes, but is not limited to, signals activated intentionally in non-emergency situations, signals for which the actual cause is unknown, signals activated through mechanical failure, and signals activated by the negligence of the owner or lessee of an alarm system or of his employee or agent.

- 4) Public safety personnel – City of Farmington public safety officers and public safety reserve fire fighters who provide emergency services to persons and/or property within the city.
- 5) Hold-up alarm – an alarm system designated for and intended to signal a robbery or attempted robbery in the area protected by such alarm.
- 6) Panic alarm – means an alarm system signal generated by a device designed to be manually activated by an individual at the alarm site intended to signal a life threatening emergency situation requiring law enforcement response

**Cross reference—** Definitions and rules of construction generally, § 1-2.

### **Sec. 19-177. - Alarm Regulations**

- 1) No alarm shall cover more than one (1) business place and/or residence, meaning that buildings with more than one (1) business must have a separate alarm for each business located therein, provided that they have separate entrances. No single alarm shall cover a grouping of houses, apartments or condominiums which have separate entrances to each living quarters. However, in case of fire alarm systems (i.e. heat detector, smoke detector, sprinkler system supervision), or any combination of systems in multiple occupancy building, an annunciation panel shall be installed in an area which is readily accessible to the department of public safety. The annunciation panel shall indicate in which occupancy or section of the building the system was activated.
- 2) When multiple calls are received at the same location within a 48-hour period and a key holder does not respond or resolve the cause of the false alarms, the police and fire departments may stop further response to the site until the false alarm problem is resolved.
- 3) It shall be a violation of this Section for any person to sell, install, operate, adjust, arrange for, or contract to provide a device or combination of devices that will upon activation, either mechanically, electronically, or by other means initiate the automatic calling, dialing or other connection directly to any City of Farmington Public Safety Department telephone number.
- 4) No person shall willfully and intentionally create a false alarm, by any means.
- 5) No device shall be installed that activates a hold-up alarm by the depression of a single-action non-recessed button at alarm sites within the city and all existing non-recessed button alarms shall be removed on or before the effective date of this ordinance.
- 6) No panic or hold-up alarm system shall be installed in residential sites that activates a silent alarm signal by alteration of the last digit of the normal arm/disarm code at alarm sites within the city and shall deactivate such systems currently in existence on or before the effective date of this ordinance.
- 7) It shall be a violation of this Article for any person to maintain an alarm system which, when activated, causes a signal that is disturbing to the peace and quiet of

the surrounding area, unless that person, firm or corporation has first provided the Public Safety Director or his/her designee with: their name, the telephone number and address of the premises where the alarm system is located, and also the name and telephone number of at least one other person, firm or corporation who can be reached at any time, day or night, and who, within a thirty-minute response time, can open the premises in which the alarm system is installed and deactivate the audible and/or visible signal.

### **Sec. 19-178. – Duties of Alarm Company**

Alarm companies shall:

- 1) Not install any burglary control panel, after the effective date of this section, which fails to meet Security Industry Association Standards with false alarm prevention features programmed to the factory default;
- 2) Not install an alarm system, after the effective date of this article, which does not meet the requirements of this article, applicable National Fire Protection Association standards, manufactures specifications and other nationally recognized standards;
- 3) Maintain a current record, available for review by the alarm administrator upon request on an individual case by case basis during regular business hours, of alarm users and sites serviced by the company that includes the names of the alarm user serviced by the company, the address of the protected properties, the type of alarm system, the original installation date and the subsequent modifications, if any for each protected property, a record of the date and the time of alarm dispatch requests to each protected property, record if the false alarms at each property with evidence of the company's attempt to verify the alarm and it's explanation of the cause of the false alarm;
- 4) Provide each of its alarm users with written operating instructions for their alarm system, including an explanation of the company's alarm verification process; a telephone number to call for assistance in operating the system; and a summary of the provision of this article relating to penalties for false alarms;
- 5) Work cooperatively with the alarm system user and the alarm administrator to determine the cause of any false alarm recurrences; and
- 6) Establish a training period during the first seven days following the installation of any alarm system during which the alarm user will be trained on the proper use of the system.

### **Sec. 19-179. Licensing and Regulation of Alarm Installers**

- 1) License Required by Installer. It shall be a violation of this Section for any person, firm or corporation to engage in the business of the installing an alarm system unless such person has been licensed by the State of Michigan in accordance with Public Act No. 190 of 1975, as amended (MCL388.1051).

- 2) Misrepresentation by Alarm Contractor. It shall be a violation of this Section for any person, firm or corporation who is an alarm contractor, or its agent, to knowingly misrepresent any services rendered to an alarm user.
- 3) Violations. All violations of this Code Section, 19-185 by any person, firm or corporation shall be considered misdemeanors and punishable by a fine of up to \$500.00.

**Sec. 19-180. - Additional Requirements for Fire Alarms Systems.**

In the case of fire alarm systems or devices, the following additional requirements shall be complied with:

- (1) All fire alarm devices, installed in commercial buildings, shall be subject to approval by the director of public safety or his authorized representative.
- (2) Plans and specifications for all fire alarm and sprinkler system supervision systems, in commercial buildings, shall be submitted to the city building inspector and the director of public safety, or his authorized representative, for their approval prior to the installation of the system.
- (3) All fire alarms systems shall be installed and maintained according to applicable sections of the National Fire Codes (National Fire Protection Association Standards) and the National Electrical Code.

**Sec. 19-181. - Signal Restrictions.**

No person shall maintain an alarm system which, when activated, causes an audible signal, which signal can be heard outside the premises protected by the alarm system, and which signal is disturbing to the peace and quiet of the surrounding area, unless the alarm system is so designed that the audible signal will sound for no more than fifteen (15) minutes; and which shall not immediately reset and become audible again.

**Sec. 19-182. - Automatic Shutoff Required**

It shall be a violation of this Section for any person, firm or corporation to maintain and operate an alarm system equipped with audible signal(s) (bells, horns, sirens, etc.) that is not equipped with a shutoff device that automatically silences the audible signal(s) within ten (10) minutes of said signal activation. This Section shall not apply to fire alarm systems.

**Sec. 19-183.           Registration by Owner**

- 1) Any person, firm, or corporation who owns, leases or occupies a premises in which an alarm system is installed, used, or maintained must register such alarm system with the City of Farmington Public Safety Department on forms provided by the City.
- 2) A registration fee, in an amount set by the City Council Resolution, must be paid by each person, firm or corporation who registers an alarm system prior to the activation of such an alarm system.

- 3) Persons, firms or corporations using, owning, leasing, or occupying a premises in which an alarm system exists on the effective date of this mandatory ordinance shall comply with the requirements of subparagraphs (1) and (2) above by the effective date of this ordinance.

### **Sec. 19-184. Testing of Alarm Systems**

No alarm system may be demonstrated or tested to merely determine the speed or type of Police or Fire response. An alarm user or company must notify the police and/or fire department(s) prior to any service, testing, repair, or adjustment of an alarm system. Likewise, the alarm user must notify the police and/or fire department(s) upon completion of these tasks.

### **Sec. 19-185. - False alarms.**

- 1) Notwithstanding any civil fines provided for in the event of a finding of responsibility for violation of this Article or Subsection herein, and notwithstanding the fact that a prosecution for violation of this Section has or has not been commenced, in order to defray the cost of responding to false alarms, the owner, lessee or user of an alarm system defined in this Article, shall pay to the city the fees set by resolution of Council from time to time.
- 2) The alarm fees apply in the following cases:
  - a) No evidence of illegal entry or an attempt thereof;
  - b) No evidence of fire;
  - c) A malfunction in the system;
  - d) Activated by mistake;
  - e) Alarm activated by persons working on the alarm system, where the public safety department was not previously notified.
- 3) Alarm Fee Waiver/Warning. Alarm fees may be waived by the Public Safety Director or his/her designee in the following circumstances.
  - a) Alarms activated by severe storm conditions.
  - b) Alarm system malfunction; if corrective measures have been instituted within five (5) days after the alarm activation, and a copy of the repair order by a licensed alarm system contractor is provided to the Farmington Public Safety Department within thirty (30) days of the false alarm.
  - c) False alarms that can be substantiated as being activated by disruption or disturbance of phone company facilities.
  - d) Utility pole accident.
  - e) Where the fee has been waived by the Public Safety Director or his/her designee because there has been a request for waiver due to documented extenuating circumstances.
  - f) Notwithstanding anything herein to the contrary, no owner or lessee shall be required to pay any fee on the first occasion of a false alarm requiring

response by the public safety department in the calendar year, but shall be advised in writing by the Public Safety Director or his/her designee of said false alarm and of the existence of this Ordinance.

- 4) Violations. All violations of the Code Section 19-183 by any person, firm or corporation shall be considered a civil infraction and punishable by a civil fine not to exceed \$100.00. Each such false alarm shall be considered a separate violation of the Section.

**Sec. 19-186. - Collection of False Alarm Fees**

False alarm fees shall be paid within thirty (30) days of written notice sent to the address of the alarm use provided in the alarm system registration. If a property owner, occupant, tenant, or lessee fails to pay the false alarm fees charged by the City within thirty (30) days after written notice, any unpaid amount will be a lien against the property. Each May 1<sup>st</sup>, the Public Safety Director shall certify all unpaid charges for such services furnished to any premises to the City Assessor who shall place the same on the next tax roll of the city. Such charges so assessed shall be collected in the same manner as general city taxes.

**Sec. 19-187. Smoke Detectors or Fire Alarms**

Nothing in this Article shall be deemed to prohibit the installation and use of smoke detectors, carbon monoxide detectors, or fire alarms designed for internal use for the protection, safety, and well-being of the occupants of any residential dwellings within the City of Farmington.

**Secs. 19-188—19-189. - Reserved.**

**Part II      Severability**

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

**Part III      Savings**

This amendatory ordinance shall not affect violations of the zoning ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

