



Don Roper
Chief of Police

Mount Holly Police Department

400 East Central Avenue • Mount Holly, NC • 28120 • (704) 827-4343 • (704) 822-2932

Section 15-10 Purpose

The purpose of this article is to establish regulations governing burglary, robbery and fire alarm systems and to reduce the number of false alarms in the city in order to minimize the unnecessary consumption of Mount Holly Police and Fire Departments' resources.

Section 15-10.1 Definitions

- a) **Alarm system:** Any electronic or mechanical device which emits any signal (electronic, visible, audible, silent, recorded or otherwise) which is designed, intended, or used to detect an unauthorized entry into a building, structure, or premises, or to signal an attempted robbery or holdup, or to alert others of the commission of an unlawful act, or to detect presence of fire or smoke in or around a building, structure or premises.
- b) **Chief:** The Chief of Police of the Mount Holly Police Department and/or the Fire Chief of the Mount Holly Fire Department or his/ her designees.
- c) **False alarms:** The activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the subscriber, or their employees, or agents. A false alarm shall not include an alarm which can reasonably be determined to have been activated by adverse weather conditions, a failure in the electrical power to the alarm or other conditions beyond the control of the alarm user. An alarm is false within the meaning of this ordinance when, upon inspection by the Mount Holly Police and/or Fire Department, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system. False fire alarms would be without evidence of fire, smoke or other emergencies that require the response of fire units or personnel.
- d) **Alarm user:** Any person, corporation, partnership, governmental, or educational entity owning or leasing an alarm system which is maintained for the protection of such premises.

Section 15-10.2 False Alarms

- a) **Second false alarms:** If, within any sixty (60) day period, the Mount Holly Police and/or Fire Departments respond to two (2) false alarms at the same premises or location, the Chief of Police or Fire Chief may send a letter to the alarm user informing him/her of the false alarms and encouraging the prevention of future false alarms. If a third or subsequent false alarm occurs within a sixty (60) day period, a chargeable false alarm exists.
- b) **Third and subsequent alarms:** If, within any sixty (60) day period, the Mount Holly Police and/or Fire Department is dispatched and arrives upon the premises or location of a third or subsequent false alarm, without having the call cancelled before arrival, the alarm user at this premises or location shall reimburse the city. The reimbursement for any such incident shall be fifty dollar (\$50.00) for all such responses. The alarm user will continue to be in violation for such subsequent false alarm activation until sixty (60) sequential days have elapsed



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without a false alarm. The alarm user is entitled to begin a new sixty-day period for false alarms as spelled out in Section 15-10.2 (a).

- c) **Maintenance:** Each alarm user in the city, on the effective date of this article, shall furnish and maintain to the Mount Holly Police/Fire Departments or to an alarm answering service, a current list of the name(s), address(s), and telephone number(s) of who may be able to deactivate the alarm system. After the effective date of this article, it shall be unlawful to actuate an alarm system without first notifying the Mount Holly Police/Fire Departments or an alarm answering service of the name(s) and telephone number(s) of a person(s) authorized and able to deactivate the alarm system. Failure to comply with this subsection (c) above will result in a fifty dollar (\$50.00) civil penalty for each alarm incident.
- d) **Audible alarms to discontinue emitting alarms after set time:** On or after May 12, 2003, it shall be unlawful for any person to install or maintain any audible alarm which does not automatically discontinue emitting an audible sound within thirty (30) minutes after activation. Failure to comply with this subsection will result in a fifty dollar (\$50.00) civil penalty.
- e) **Continuing alarm:** An alarm user or their representative shall reset an alarm system when notified by the Mount Holly Police and/or Fire Department that such alarm activated. When an alarm sounds continuously for a period of thirty (30) minutes from the time units respond to the alarm, due to the failure of the alarm user or their representative to reset the alarm, every subsequent thirty (30) minute period or portion thereafter, that such alarm continues to sound, shall be considered a separate false alarm. The alarm user shall reimburse the city for police and/or fire services for false alarms under this subsection at a flat rate of ten dollars (\$10.00) for each false alarm resulting from the continuous operation of an alarm, not to exceed one hundred dollars (\$100.00) for any twenty-four (24) hour period.

Section 15-10.3 Authority to waive reimbursement

The Chief of Police and/or the Fire Chief shall have the power to waive any fee charged to an alarm user when such alarm user submits in writing to the Chief of Police or the Fire Chief, evidence that the false alarm was not the result of negligence, and that it occurred in spite of prior test period of at least thirty (30) days for reasonable training and maintenance, or when such alarm user submits evidence to the Chief of Police and/or Fire Chief which indicates that an alarm, to which any city responded was not a false alarm.

Section 15-10.4 Punishment

Punishment for violation of this article is a civil violation and subject to civil penalties as enumerated.

(Adopted 5-12-2003)