



INTER-OFFICE MEMORANDUM
WEST PLAINS
POLICE DEPARTMENT



1912 HOLIDAY LANE
 WEST PLAINS, MO 65775
 PHONE 417-256-2244
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Stephen P. Monticelli
 Chief of Police

TO: SAM ANSELM, CITY ADMINISTRATOR
KELLIE MAYERS, CITY CLERK

FROM: CHIEF STEPHEN MONTICELLI

SUBJECT: REQUEST FOR CITY ORDINANCE – ALARM SYSTEMS

DATE: SEPTEMBER 11, 2024

Executive Summary

Staff has prepared for council consideration a new Ordinance, Alarm Systems, which provides guidelines and subsequent responsibility for false alarms. The ordinance provides legal consequences to the continued number of false alarms. Response to an active alarm is a two-unit call and can take ten-minutes to forty-five minutes at scene depending on time of day of the alarms. Continued false alarms at the same locations can be an officer safety issue with officers becoming complacent at specific locations. The requested ordinance will provide alarm holders with responsibility for keeping their systems serviced and their personnel trained to prevent false alarms.

Discussion

Presently, the City of West Plains does not currently have an ordinance which covers false alarms within the city. This is a significant problem with the number of false alarms that occur on a daily, weekly, monthly, and yearly basis. The responding officers would note within the CAD Incident if the Alarm was Valid or False. Those valid alarms are not counted within the number of alarm activations for the location.

Research for false alarms for the past three years was completed from August 1st of each year to July 31st that showed the following numbers and potential number of violations of the ordinance:

Year	Number False Alarms	Violations
8/1/2021 – 7/31/2022	437 False Alarms	52 Violations
8/1/2022 – 7/31/2023	444 False Alarms	27 Violations
8/1/2023 -7/31/3024	330 False Alarms	11 Violations

Chapter 10 – Businesses

Article XII – Alarm Systems

Section 10-580. - Definitions.

The following definitions apply to this division:

- a) Alarm system. A device or devices or an assembly of equipment intended to signal the presence of a hazard requiring a police or fire department response, including, but not limited to, burglar alarms, fire alarms, hold-up alarms, mechanical failure alarms, environmental alarms, digital communicators and automatic telephone dialer alarms, but does not include smoke detectors which do not signal outside the premises or alarm systems on motor vehicles.
- b) Automatic telephone dialing device. An alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message indicating the existence of the emergency situation that the alarm system is designed to detect.
- c) Central alarm system company. Any person engaged in the business of monitoring alarm systems to report hazards to the West Plains Police Department for a police or fire department response.
- d) False alarm. An activation of an alarm system through mechanical failure, malfunction, improper installation, human error, or alarms caused by acts of nature which result in an audible alarm or which results in the notification of emergency services personnel when in fact no emergency exists.
- e) Non-monitored alarm system. An alarm system that is not monitored by a central alarm system company.

Section 10-581. – Alarm System Reporting Requirements.

- a) Each central alarm system company operating in the city shall provide the following information to the West Plains Police Department for each building in the city which is connected to the company's central alarm system:
 - 1) The address and telephone number of the building in which the alarm is installed.
 - 2) For each building other than a private residence, the name of the business or other use. For each private residence, the name of the person in whose name the telephone is listed.
 - 3) If a hold-up alarm is connected to the central alarm system, the number of a telephone inside the building that can be called for information regarding the status of an alarm.

The owners, lessees and occupants of each building or portion of a building connected to a central alarm system shall be responsible for providing the above information to the West Plains Police Department if the central alarm system company fails to do so.

- b) Each central alarm system company operating in the city shall notify the West Plains Police Department of any changes in the information provided under subsection (a) within seven (7) days of the change. The owners, lessees and occupants of each building or portion of a building connected to a central alarm system shall be responsible for providing the above information to the West Plains Police Department if the central alarm system company fails to do so.



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- c) The owners, lessees and occupants of each building or portion of a building protected by a non-monitored alarm system shall provide the following information to the West Plains Police Department:
 - 1) The address and telephone number of the building in which the alarm is installed.
 - 2) The name, address and telephone number of the property owner, lessee and any other person who controls access to the premises.
 - 3) For premises other than private residences installing police or fire alarms, the names, addresses and telephone numbers of three (3) responsible persons having access to the property who can respond to the location of an alarm within thirty (30) minutes after notice to assist the responding agencies.
 - 4) For private residences, the names, addresses and telephone numbers of two (2) responsible persons having access to the property who can respond to the location of an alarm within thirty (30) minutes after notice to assist the responding agencies.
- d) Each person required to provide information under subsection (c) shall notify the West Plains Police Department of any changes in the information provided under subsection (c) within seven (7) days of the change.

Section 10-582. – Automatic Dialers.

- a) No automatic dialing device shall dial or terminate at any city emergency service telephone number other than numbers designated by the West Plains Police Department. Under no circumstances may an automatic dialer be programmed to dial 9-1-1.
- b) Automatic dialing devices in existence prior to the effective date of this section shall be reprogrammed to numbers designated by the West Plains Police Department within sixty (60) days of the effective date of this section.
- c) All automatic dialers shall be required to provide information to emergency service providers as required by the West Plains Police Department.

Section 10-583. – External Alarm Noise.

It shall be unlawful for any owner, occupant or operator of any residence, business or structure within the city limits to install, connect or maintain any burglar alarm or anti-theft device or fire alarm in or upon any such residence, business or structure when such alarm or device produces any loud noise that is audible off the premises on which it is installed unless such alarm or device will automatically reset itself, thereby terminating such loud noise within fifteen (15) minutes. This section shall not apply to any structure within the West Plains

Special Business District or any structure upon property zoned for industrial use, or to any waterflow (water gong) alarm, or to any Automatic Teller Machine (ATM).

Section 10-584. – False Alarms – Administrative Fee.

The owners and lessees of any property protected by an alarm system shall be jointly and severally liable for payment of the following false alarm administrative fees:

a) For the fourth and subsequent false alarms by any alarm system within a thirty (30) day period....	\$100.00 for each such false alarm
b) For the thirteenth and subsequent false alarms by any alarm system within a twelve (12) month period...	\$100.00 for each such false alarm

An administrative fee shall not be charged under both subsections (1) and (2) for any single false alarm.

Each false alarm in excess of three (3) in any thirty (30) day period or thirteen (13) in any twelve month period shall be deemed a separate occurrence to which the fee applies regardless of whether the false alarms occur on the same day. Automatic Teller Machines located on bank premises shall be considered along with the bank to be one (1) location

Section 10-585. – False Alarms – Prohibited Conduct.

- a) It shall be unlawful for an owner, lessee or person in charge of any property protected by an alarm system to fail to maintain, program and repair such system so as to prevent false alarms.an alarm system from generating more than three (3) false alarms in any thirty (30) day period or more than twelve (12) false alarms in any twelve month period. .
- b) It shall be unlawful for an owner, lessee or person in charge of any property protected by an alarm system to fail to pay the administrative fee for the false alarm under section 10-584 after having been invoiced for same by the City.

Section 10-586. – Penalty.

- a) Any person violating any provision of this article shall be deemed guilty of an ordinance violation and upon conviction thereof shall be punished as provided in the code.
- b) Any person convicted of violating section 10-585 shall be punished as provided in this Code, but in no event shall the fine be less than one hundred dollars (\$100.00).

Fiscal Impact

Short-Term Impact: None

Strategic and Comprehensive Impact

N/A

Strategic Plan Impact

Primary Impact: Public Safety, Secondary Impact: Not Applicable

Comprehensive Plan Impact



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Primary Impact: Inter-Governmental Cooperation, Secondary Impact: Not Applicable

Suggested Council Action

Should the council agree, we recommend passing the Ordinance that would hold alarm system operators accountable when they have an alarm system for their business or residence. The ordinance would demonstrate to the citizens of West Plains that the city cares for the proper response to alarm activations with the safety of the public and responders in mind. The purpose of the ordinance is to maintain a level of responsibility for those that have an alarm in their business or residence. It also provides guidelines for the alarm systems for proper handling of their systems.

AN ORDINANCE OF THE CITY OF WEST PLAINS, MISSOURI AMENDING CHAPTER 10 OF THE MUNICIPAL CODE BY THE ADDITION OF A NEW ARTICLE AND SEVERAL NEW PROVISIONS PERTAINING TO ALARM SYSTEMS

WHEREAS, it has been determined by the City Council of West Plains, Missouri, that the safety and welfare of the residents of the City of West Plains will be promoted by regulating alarm systems on commercial property to avoid continuous noise nuisances that may adversely impact neighboring properties and to further avoid unnecessary police or fire response when none is required.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 10 of the Municipal Code is hereby amended by the addition of a new Article XII and several new sections which shall read as follows:

Chapter 10 – Buildings and Construction

Article XII – Alarm Systems

Section 10-580. - Definitions.

The following definitions apply to this division:

- a) Alarm system. A device or devices or an assembly of equipment intended to signal the presence of a hazard requiring a police or fire department response, including, but not limited to, burglar alarms, fire alarms, hold-up alarms, mechanical failure alarms, environmental alarms, digital communicators and automatic telephone dialer alarms, but does not include smoke detectors which do not signal outside the premises or alarm systems on motor vehicles.
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- c) Central alarm system company. Any person engaged in the business of monitoring alarm systems to report hazards to the West Plains Police Department for a police or fire department response.
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audible alarm or which results in the notification of emergency services personnel when in fact no emergency exists.

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- b) Each central alarm system company operating in the city shall notify the West Plains Police Department of any changes in the information provided under subsection (a) within seven (7) days of the change. The owners, lessees and occupants of each building or portion of a building connected to a central alarm system shall be responsible for providing the above information to the West Plains Police Department if the central alarm system company fails to do so.
- c) The owners, lessees and occupants of each building or portion of a building protected by a non-monitored alarm system shall provide the following information to the West Plains Police Department:
 - 1) The address and telephone number of the building in which the alarm is installed.
 - 2) The name, address and telephone number of the property owner, lessee and any other person who controls access to the premises.
 - 3) For premises other than private residences installing police or fire alarms, the names, addresses and telephone numbers of three (3) responsible persons having

access to the property who can respond to the location of an alarm within thirty (30) minutes after notice to assist the responding agencies.

4) For private residences, the names, addresses and telephone numbers of two (2) responsible persons having access to the property who can respond to the location of an alarm within thirty (30) minutes after notice to assist the responding agencies.

d) Each person required to provide information under subsection (c) shall notify the West Plains Police Department of any changes in the information provided under subsection (c) within seven (7) days of the change.

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- b) It shall be unlawful for an owner, lessee or person in charge of any property protected by an alarm system to fail to pay the administrative fee for the false alarm under section 10-584 after having been invoiced for same by the City.

Section 10-586. – Penalty.

- a) Any person violating any provision of this article shall be deemed guilty of an ordinance violation and upon conviction thereof shall be punished as provided in the code.
- b) Any person convicted of violating section 10-585 shall be punished as provided in this Code, but in no event shall the fine be less than one hundred dollars (\$100.00).

SECTION 2. The City Council hereby imposes the administrative fees set forth in Section 10-584. For purposes of calculating the number of false alarms and determining when the fee shall be collected, the counting of false alarms shall begin upon the passage of this Ordinance.

SECTION 3. This Ordinance shall be in full force and in effect after the date of its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

CITY OF WEST PLAINS, MISSOURI

BY: _____
MICHAEL TOPLIFF, MAYOR

ATTEST:

KELLIE MAYERS, CITY CLERK