

Chapter 4 ALARM SYSTEMS¹

Sec. 4-1. Definitions.

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 system means any mechanical or electrical device which, when activated, emits a sound or transmits a signal or message to which the police or fire department may be summoned, directly or indirectly, to respond. An alarm system is designed for use for one or any combination of the following:

- (1) The detection of an unlawful entry or attempted unlawful entry into a building, structure or facility;
- (2) The alerting of others of the commission of an unlawful act within a building, structure or facility; and/or
- (3) The detection of fire, smoke or heat within a building, structure or facility.

Alarm user means any owner or occupant who has physical control over the premises where an alarm system is installed within the township, except for alarm systems on motor vehicles. However, if an alarm system on a motor vehicle is connected to an alarm system at a premises, the person using such system is an alarm user. Excluded from this definition and coverage of this section are persons who use self-contained alarm systems, i.e., a system which signals or alerts other authorized persons who are on the premises of an attempted unauthorized intrusion, holdup attempt or fire condition. However, if such a system employs an audible signal emitting sounds, flashing light or beacon designed to signal persons outside the premises, such system shall be within the definition of an alarm system and shall be subject to this section.

False alarm means activation of an alarm system through mistake, mechanical failure, malfunction, improper installation, lack of prudent maintenance or through the negligence of the occupant of the residence and/or building in which the alarm system is located, including their employees or agents. The term "false alarm" also means any activation of an alarm system which indicates a crime or situation other than that which it was designated to indicate, or in the case of a fire alarm, any alarm condition not resulting from a fire or potential fire hazard.

(Ord. No. 379, § 2.01, 9-9-1985)

Sec. 4-2. Permits and fees required.

- (a) *Permit required.* A permit is required for owning or occupying premises equipped with alarm system. Any person who, after the effective date the ordinance from which this chapter is derived, shall take ownership, lease or occupy a premises in which a burglar and/or fire alarm system is installed and/or maintained shall obtain a permit from the township.
- (b) *Permit fees.* A fee shall be charged for the permit required by this section to help defray the cost incurred by the township in the administration, maintenance and supervision of the provisions of this chapter. The fee shall be established by resolution of the township board.

¹State law reference(s)—Electrical administrative act, MCL 338.881 et seq.; private security business and security alarm act, MCL 338.1051 et seq.

(Ord. No. 379, § 3.01, 9-9-1985)

Sec. 4-3. Licensing required.

No person shall engage in the business of providing for the installation, operation and/or maintenance of a burglar and/or fire alarm system and/or a combined alarm monitoring-sales facility unless properly licensed pursuant to Public Act No. 330 of 1968 (MCL 338.1051 et seq.).

(Ord. No. 379, § 4.01, 9-9-1985)

Sec. 4-4. Electronic communication alarm system prohibited.

No person shall sell, install, operate, adjust, arrange for, or contract to provide a device which upon activation, either mechanically, electronically, or by any other means initiates the automatic calling or dialing of, or makes a connection directly to an electronic communication device assigned to police or fire agency for the purpose of delivering a recorded message.

(Ord. No. 379, § 5.01, 9-9-1985)

Sec. 4-5. Audible or visual alarms.

- (a) *Signal disturbing the peace.* No person shall maintain an alarm system which, when activated, causes an audible and/or visible signal which can be heard or seen outside the premises and which is disturbing to the peace and quiet of the surrounding area, unless that person has first provided the police department with the following: their name, telephone number, address of the alarmed premises, and the name and telephone number of one other person who, having access to the alarmed premises, can be contacted at any time and can respond within 30 minutes to deactivate the audible and/or visible signal.
- (b) *Duration of external signal.* No person shall use, install, or direct to be installed, any audible alarm system which emits a sound alarm for a period longer than 15 minutes from the time of the initial sounding of the device.

(Ord. No. 379, § 6.01, 9-9-1985)

Sec. 4-6. Separate systems required.

Buildings having more than one occupant who utilize separate entrances for access to their individual units shall have separate alarm systems for each unit. This section shall not be construed to require the installation of alarm systems, but only to require separate systems for separate units when installed.

(Ord. No. 379, § 7.01, 9-9-1985)

Sec. 4-7. False alarm fees.

Notwithstanding any penalties provided for upon conviction for any violation of this chapter, and notwithstanding the fact that prosecution for violation of this chapter has or has not commenced, any person operating an alarm system which signals more than two false alarms as defined in section 4-1 within one calendar year shall pay to the township a false alarm fee in order to defray a portion of the cost of response to false alarms as currently established or as hereafter adopted by resolution of the township board from time to time.

(Ord. No. 379, § 8.01, 9-9-1985)

Sec. 4-8. Exceptions to alarm fees.

Alarm conditions existing under the following circumstances shall not constitute a false alarm and no fee shall be assessed.

- (1) If measures to correct alarm system malfunctions have been instituted within a 72-hour period with notification to police department, provided that the alarm user presents, within 30 days of the date of alarm response, documentation of repair service having been performed by the alarm company to remedy a malfunction;
- (2) Alarm conditions being activated by a person working on the alarm system with prior notification to the police department; and
- (3) Alarms which can be substantiated as being activated by disruption or disturbance of telephone company facilities, or motor vehicle/utility accidents or by storm conditions.

(Ord. No. 379, § 9.01, 9-9-1985)

Sec. 4-9. Alarm violation.

- (a) An "alarm violation" shall be designed and used as required by this chapter.
- (b) The police or fire department shall forward an alarm violation to the alarm user following each false alarm occurrence.

(Ord. No. 379, § 10.01, 9-9-1985; Ord. No. 661, § 1, 6-24-2019)

Sec. 4-10. Waiver request.

- (a) Within 30 days of the date of an alarm violation, an alarm user wishing waiver of a false alarm and the associated fee as a result of a condition described in section 4-8, may do so by a written waiver request.
- (b) The waiver request, directed to the appropriate department (police or fire), shall contain documentation of the applicable condition as described in section 4-8.
- (c) The police or fire chief, or a designated representative shall make a determination on the waiver request and shall notify the alarm user of the decision in writing.
- (d) In the event that the alarm user is not satisfied with the decision rendered by the police or fire chief or a designated representative, the alarm user, within ten days of the date of the determination of the police or fire chief, may file with the township supervisor a written request that the determination be reconsidered.
- (e) The township supervisor or his designee shall decide whether to uphold or set aside in whole or in part, the decision reached by the police or fire chief. The alarm user shall be notified of that decision in writing. If the alarm user feels it necessary to appeal the decision he may have the opportunity to personally be present and be heard on the matter by the supervisor or his designee.

(Ord. No. 379, § 11.01, 9-9-1985; Ord. No. 661, § 1, 6-24-2019)

Sec. 4-11. Defective alarms.

An alarm system signaling more than five false alarms within a calendar year is presumed to be defective. Upon written notice, the owner or occupant of the building or residence shall have the alarm system inspected by a licensed alarm system contractor within ten days and shall forward the documentation to the appropriate

department (police or fire), with said contractor's report of the probable cause of the false arms and the measure instituted to eliminate same.

(Ord. No. 379, § 12.01, 9-9-1985; Ord. No. 661, § 1, 6-24-2019)

Sec. 4-12. Penalty.

- (a) Notwithstanding any other fees required by any other section of this chapter, any person who shall violate the provisions of this chapter shall be responsible for a municipal civil infraction, subject to the following penalties:
- (1) Fines. The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction, unless a different fine is specified in connection with a particular ordinance:
 - a. First offense. The civil fine for a first offense violation shall be in an amount of \$75.00, plus costs and other sanctions, for each offense.
 - b. Repeat offense. The civil fine for any offense which is a repeat offense shall be in an amount of \$150.00, plus costs and other sanctions for each offense.
 - (2) Enforcement. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation of this chapter.
 - (3) Continuing offense. Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.
 - (4) Remedies not exclusive. In addition to any remedies provided for by this chapter, any equitable or other remedies available may be sought.
- (b) The judge or magistrate shall be authorized to impose costs, damages and expenses as provided by law.
- (c) A municipal civil infraction shall not be a lesser included offense of a criminal offense or of an ordinance violation which is not a civil infraction.

(Ord. No. 379, § 15.01, 9-9-1985; Ord. No. 503, § 21, 4-27-1998)

Sec. 16-41. Activation of fire alarm systems.

A person or entity shall not activate a fire alarm system in any building or place within the township unless a valid fire emergency exists within that building or place. The fire department must be notified before testing and at the conclusion of testing. A fire alarm system is any system that upon activation warns the occupants of the building or place that a fire emergency exists. Alarm activations shall comply with and be subject to the Charter Township of Bloomfield Code of Ordinances, chapter 4—Alarm Systems.

(Ord. No. 544, § 12, 8-25-2003; Ord. No. 659, § 1, 6-24-2019)

Sec. 22-19. False alarms.

No person shall intentionally make, turn in, or give any false alarm of fire, or of need for police or ambulance assistance.

(Ord. No. 137, § 14.01, 9-27-1965)

State law reference(s)—False fire alarms, MCL 750.240.
