

Chapter 72

ALARMS

[HISTORY: Adopted by the Town Board of the Town of Summit as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 168.

ARTICLE I

False Alarms

[Adopted 8-5-1993 by Ord. No. 195]

§ 72-1. Purpose; findings.

- A. The purpose of this article is to establish regulations, standards, and controls relating to the use of alarm devices which are monitored or relayed to the Town of Summit Police Department, Summit Fire Department, Village of Dousman Fire Department, and the Okauchee Fire Department serving the Town to prevent false alarms which intentionally create hazards to the public.
- B. For various reasons, false alarms from alarms frequently occur. Each false alarm requires response by public safety personnel, involves unnecessary expense to the Town of Summit and increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the Town of Summit. Such false alarms constitute a public nuisance and must be abated.

§ 72-2. Definitions.

The following words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ALARM SYSTEM — Any electrical or mechanical device for the detection of an unauthorized entry on premises or for alerting others of the commission of an unlawful act or both, or for the detection of a fire, and when activated, emits a sound or transmits a signal or message or both.

FALSE ALARM — A signal from an alarm system which results in a call, direct or indirect, to the Town of Summit Police Department, or to a Fire Department serving the Town of Summit resulting in a response by the appropriate municipal organization when an actual emergency does not exist. A false alarm shall be, for all purposes, considered a public nuisance.

PERSON — Any individual, partnership, corporation or other entity.

PRIVATE ALARM — Any alarm system not owned or leased by the Town of Summit or any governmental department.

§ 72-3. Prohibitions.

This article is intended to impose strict liability on the person whose premise(s) is or are protected by an alarm which is received by or relayed to the Town of Summit Police Department or any of the Fire Departments serving the Town of Summit.

- A. False alarm. No person owning, leasing, using, or possessing a private alarm system shall, by means of the alarm system, give a false alarm as defined herein.
- B. Defenses. The fact that the false alarm was accidental, caused by human error or by electrical malfunction shall not be a defense to prosecution for the violation of the terms of this article.

§ 72-4. Violations and penalties. ¹

The penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit shall apply to false alarms.

§ 72-5. Intentional false alarms; violations and penalties. ²

No person shall intentionally cause the activation of an alarm device knowing that no crime or emergency exists. Any person convicted of violating this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit for each violation.

§ 72-6. Additional remedies and penalties.

In addition to the penalties provided herein, the Town of Summit is not precluded from pursuing other remedies including but not limited to temporary and permanent injunctions or any other relief provided by law. All penalties and remedies available under any Town of Summit ordinance or state statute are cumulative.

§ 72-7. Enforcement.

The provisions of this article shall be enforced as provided by this article and state law including, but not excluding because of enumeration, Chs. 66, 345 and 800, Wis. Stats.

ARTICLE II
Alarm System Permits
[Adopted 8-5-1993 by Ord. No. 196]

§ 72-8. Purpose.

The purpose of this article is to establish regulations, standards and controls relating to

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

the use of alarm devices which are monitored or relayed to the Town of Summit Police Department, Summit Fire Department, Village of Dousman Fire Department, or the Okauchee Fire Department serving the Town of Summit to prevent false alarms which create a hazard to the public and to assist the responding Police and Fire Department personnel.

§ 72-9. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ALARM SYSTEM — Any electrical or mechanical device for the detection of an unauthorized entry on premises or for alerting others of the commission of an unlawful act or both, or for the detection of a fire, and when activated, emits a sound or transmits a signal or message or both.

FALSE ALARM — A signal for an alarm system which results in a call, direct or indirect, to the Town of Summit Police Department, or to a Fire Department serving the Town of Summit resulting in a response by the appropriate municipal organization when an actual emergency does not exist. A false alarm shall be, for all purposes, considered a public nuisance.

LOCAL ALARM — A system that gives a signal, either visual, audible or both, on the exterior portion of the property, but does not leave that structure by wire or radio wave to a control receiving location. This shall not include a device designed solely to alert the occupants of a building of fire or smoke on the premises or illegal entry.

PERSON — Any individual, partnership, corporation or other entity.

PRIVATE ALARM — Any alarm system not owned or leased by the Town of Summit or any governmental agency.

§ 72-10. Permit required; fee.

- A. Required. A permit shall be required for each alarm system or local alarm on premises within the Town of Summit on the effective date of this article or installed after this effective date.
- B. Fee. All systems shall pay a one-time permit fee of \$25. If two separate systems or a single system with two separate or different functions, a \$10 fee will be charged to each different function.
- C. Time to acquire. Systems now on premises within the Town of Summit shall obtain a permit within 90 days after the effective date of this article. Any alarm system installed after the effective date of this article must have a permit before the system is activated.

§ 72-11. Requirements.

- A. All installation and inspection maintenance fees shall be paid by the permit holder.
- B. All alarm system permit holders in the Town of Summit shall assure that a key holder will be notified and arrive at the scene of the alarm within 30 minutes after the Police or Fire Department has been notified that the alarm has been activated. This response is necessary in order to reset or gain entrance to the building.
- C. All local alarms within the Town of Summit must have some type of device attached to the alarm that will automatically shut the alarm off after 15 minutes or have some other means of turning the alarm off.
- D. All alarm systems shall be equipped with functional batteries in case of power failure.

§ 72-12. Prohibitions.

- A. No person shall install an alarm system or use an operative alarm or local alarm without having a permit in accordance with the provisions of this article.
- B. Certain alarm systems include a dialer so that when the system is activated the dialer automatically dials the police, fire or emergency services and repeatedly gives a recorded message. No person shall have installed or operate such an automatic dialer that selects a municipal emergency service trunk line going into a municipal building. Any system in operation on the effective date of this article shall be modified so that it no longer is in violation, or be disconnected not later than 90 days after the effective date of this article.

§ 72-13. Revocation.

- A. Hearing required. Before a permit issued pursuant to this article may be revoked, a hearing must be held before the Town of Summit Town Board. Notice setting forth the time, place and nature of the hearing shall be sent by mail, or delivered to the permit holder at the address shown on the permit application, not less than seven days prior to the hearing.
- B. Grounds for revocation:
 - (1) The application for the permit contains a statement of material fact which is false.
 - (2) The permit holder has repeatedly failed to comply with the provisions of this article, whether caused by faulty equipment or otherwise.
 - (3) An alarm system, or local alarm, that repeatedly actuates false alarms.

§ 72-14. Application for permit; issuance; appeals.

- A. Issuing authority. The issuing authority shall be the Town of Summit Town Board.
- B. Application. Application for all permits required under this article shall be filed with the Town of Summit Police Department. The Chief of Police shall prescribe

the form of the application and request any information that is necessary to evaluate the alarm system or local alarm upon the permit application. The Chief of Police shall deny a permit if the alarm system for which the permit is sought does not comply with this article.³

- C. Information required. The permit shall contain the following information: permit holder's name and home address, address where the alarm is installed, type of system (silent, visual, audible or fire), manufacturer's name and service company, address and telephone number of individual to be notified in case of emergencies. Upon issuance of each permit, the Police Department will review the permit records annually to determine whether validly issued permits have been obtained by persons who have alarm systems.
- D. Appeal. Any person required by this article to have a permit who has been denied such permit by the Chief of Police shall have the right to appeal that decision to the Town Board of the Town of Summit.

§ 72-15. Violations and penalties. ⁴

Any person, firm or corporation in violation of this article shall be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit. Each day of violation shall constitute a separate offense.

§ 72-16. Miscellaneous provisions.

- A. Limitations of liability. The Town of Summit shall be under no duty or obligation to a permit holder or to any other person based on any provision of this article. This lack of liability includes, but is not limited to, any defects in an alarm system or any delay in transmission or response to any alarms.
- B. Motor vehicles. The provisions of this article shall not be applicable to audible alarms affixed to motor vehicles.
- C. Nonapplication to municipal corporations. This article shall have no application to municipal corporations or municipal departments or subgroups.

§ 72-17. Additional remedies and penalties.

In addition to the penalties provided herein, the Town of Summit is not precluded from pursuing other remedies including but not limited to temporary and permanent injunctions or any other relief provided by law. All penalties and remedies available under any Town ordinance or statute are cumulative.

§ 72-18. Enforcement.

The provisions of this article shall be enforced as provided by this article and state law

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

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Wis. Stats.