



CITY OF CREEDMOOR

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ED MIMS
ROBERT WAY

ORDINANCE 2022-O-13 **AN ORDINANCE AMENDING THE CREEDMOOR FALSE ALARM ORDINANCE**

WHEREAS, since 2015 the City of Creedmoor has had a False Alarm ordinance to address false alarms to the Creedmoor Police Department; and

WHEREAS, the Creedmoor Board of Commissioners believes it is in the public interest to also regulate false alarms going to the Creedmoor Volunteer Fire Department, because false alarms unnecessarily expend limited Fire Department resources and generally make it more difficult for the Fire Department to effectively provide services; and

WHEREAS, the Creedmoor Volunteer Fire Department supports this proposed ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF CREEDMOOR THE FOLLOWING:

Section 1. Creedmoor Code of Ordinances Chapter 99, False Alarm Regulations, is amended as follows:

CHAPTER 99: FALSE ALARM REGULATIONS

Section

- 99.01 Short title
- 99.02 Purpose
- 99.03 Definitions
- 99.04 Applicability
- 99.05 General regulations
- 99.06 Alarm responses
- 99.07 Exclusions
- 99.08 Prohibited acts
- 99.09 Enforcement of violations
- 99.10 Miscellaneous

§ 99.01 SHORT TITLE.

This chapter shall be known and may be cited and referred to as “The City of Creedmoor False Alarm Regulations.”

§ 99.02 PURPOSE.

The purpose of this chapter is to establish regulations governing alarm systems requiring response thereto by or through the City of Creedmoor Police Department or the Creedmoor Volunteer Fire

Department. The terms of this chapter shall not prohibit alarm companies from providing service by private source to other offices within the geographical boundaries of the City of Creedmoor.

§ 99.03 DEFINITIONS.

As used in this chapter, the following words, terms and phrases shall have the meanings ascribed to them below, unless the context clearly indicates a different meaning:

ALARM. The activation of an alarm system signal that produces either an audible sound which can be heard from the interior or exterior of the building causing the alarm system, or the emission of a signal to a direct monitoring service, which in turn notifies the Communications Center that the alarm has been activated.

ALARM BUSINESS. The business by any individual, partnership, corporations or other legal entity of servicing, repairing, altering, replacing, moving or installing any alarm system, or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility, and shall not include any other activity of the business.

ALARM INSTALLATION. Any alarm device or combination of devices installed for one or more buildings.

ALARM RESPONSE. The dispatch or response of fire or law enforcement personnel as the result of an alarm.

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 fire or an unauthorized entry into a building, structure, or premises, to signal a fire or attempted robbery or hold up, or to alert others of a fire or the commission of an unlawful act in or around a building, structure or premises.

ALARM USER. Any person, corporation, partnership, proprietorship, governmental or educational entity owning or leasing an alarm system, or on whose premises an alarm system is maintained for the protection of the premises and/or persons.

AUTOMATIC DIALING DEVICE. Any type of device that automatically sends signals over regular telephone lines, as opposed to dedicated alarm lines (see definition of **DEDICATED ALARM LINE**).

CITY. The City of Creedmoor, North Carolina.

COMMUNICATIONS CENTER. Creedmoor Police Department dispatch and/or the Granville County 911 Emergency Communications Center.

COUNTY. Granville County, North Carolina, a political subdivision of the State of North Carolina.

DEDICATED ALARM LINE. A special leased telephone line circuit maintained for the sole purpose of transmitting alarm signals.

DIGITAL ALARM. An alarm system which automatically sends signals over regular telephone lines connecting to a digital receiving console, as opposed to a telephone handset.

DIRECT CONNECTING ALARM. An alarm utilizing dedicated alarm lines to connect to a remote receiving console.

FALSE ALARM. An electrical signal communicated to the Communications Center indicating that an unlawful entry or other crime is being committed or attempted or indicating the detection of a fire, whether to signal a fire or to alert others of a fire in or around a building, structure or premises when it is subsequently determined, after response to the alarm, that no such unlawful entry, crime or fire was either committed or in existence and that the alarm was activated in error due to the subscriber's negligence or equipment malfunction. Such alarm shall be considered a false alarm if it could have been prevented by the ordinary care of a competent subscriber or alarm business operator. An alarm transmitted during testing procedures approved in advance by the Communications Center shall not be deemed a false alarm.

LOCAL ALARM. An alarm or device that produces a signal not connecting in any way to any alarm monitoring centers, such as store or home burglar alarms actuating bell devices.

OFFICER. Either a sworn law enforcement officer or a member of any County or City fire department.

TAPE DIALER ALARM. An alarm system which automatically sends a signal over regular telephone lines and plays a pre-recorded message.

§ 99.04 APPLICABILITY.

The provisions of this chapter shall apply to all incorporated portions of the City of Creedmoor.

§ 99.05 GENERAL REGULATIONS.

- (A) The alarm user shall be responsible for knowing the contents of this chapter.
- (B) Alarm systems may be connected directly to a private alarm control center or may be a local alarm.
- (C) Local alarms shall be of a type that sounds for no more than 15 minutes.
- (D) Any alarm existing as of the effective date of this chapter shall also be governed by the regulations of this chapter.

(E) Each local alarm user shall furnish to the Creedmoor Police Department and/or the Granville County 911 Emergency Communications Center, as applicable, ~~Communications Center~~ the names and telephone numbers of at least three persons authorized and able to deactivate the alarm system. Should this requirement represent an undue burden upon the alarm user, an exception thereto may be requested from the Creedmoor Police Chief, who shall have the authority to allow less than three persons authorized and able to deactivate the alarm system, but any such exception shall be writing and retained by the Police Chief.

(F) After the effective date of this chapter, it shall be unlawful to connect a local alarm without notifying the Creedmoor Police Department and/or the Granville County 911 Emergency Communications Center, as applicable, ~~Communications Center~~ of names and telephone numbers of persons authorized and able to deactivate the alarm system (in accordance with division (E) of this section). Any changes in the names or telephone numbers of those persons authorized and able to deactivate the alarm system must be communicated to the appropriate Communications Center immediately.

(G) Burglar alarm systems and fire alarm systems installed within those geographical areas covered by this chapter shall be equipped with an automatic bell time cut-off module to prevent continuous alarm sounding when the user is unavailable to manually silence the alarm. System or test devices which give a delay of ten seconds or longer prior to alarm system activation in order to warn the user of an open alarm circuit are highly recommended for all burglar systems in order to prevent false alarms.

(H) Alarm systems installed after the effective date of this chapter (i.e. June 15, 2015) will be required to have reset capabilities, and to reset within 15 minutes. An alarm system cutoff shall be installed to override all malfunctioning alarms. Users whose alarm systems were installed prior to the effective date of this chapter shall have one year from the effective date of this chapter to convert their systems to the extent necessary for compliance with the provisions of this chapter.

§ 99.06 ALARM RESPONSES.

(A) An alarm system may have up to three false alarms within a 12-month period. The Creedmoor Police Department will provide a maximum of three free burglar alarm responses to any alarm user within a 12-month period. Alarm responses in excess of three during the same 12-month period shall incur a fine in accordance with the current City of Creedmoor Fee and Rate Schedule.

(B) The alarm user or that user's representative shall reset an alarm system when notified by a responder that the alarm has activated. When an alarm sounds continuously for a period of 60 minutes from the time responders react to the alarm, due to the failure of the alarm user or that user's representative to reset the alarm, every subsequent 60-minute period or portion thereof that the alarm continues to sound shall be deemed a separate alarm.

§ 99.07 EXCLUSIONS.

For the purpose of computing the number of alarm responses in § 99.06(A), a false alarm-an alarm shall not include an alarm that is:

- (A) Determined to have been activated by adverse weather conditions as reported by the Granville County Emergency Operations Director, the National Weather Service, or the investigating responding agency; or

- (B) Activated by an outside animal; or
- (C) Activated by an electrical power outage to the electric meter on the building housing the activated alarm system, provided that the alarm user shall provide proof of the electrical outage within five business days of the alarm response; or
- (D) An alarm where there is physical evidence of a fire, unauthorized entry, robbery, or other crime having been committed at the premises where the alarm was activated. ~~Any determination by an alarm responder that alarm activation was not one of the exclusions herein may be appealed to the City Manager within 72 hours. The decision of the City Manager shall be final.~~
- (E) A local alarm activated during alarm system testing procedures shall not be considered an alarm for the purpose of computing alarm responses, if the alarm user first notifies the Creedmoor Police Department and/or the Granville County 911 Emergency Communications Center, as applicable, of the alarm testing.

Any determination by an alarm responder that alarm activation was not one of the exclusions herein may be appealed to the City Manager within 72 hours. The decision of the City Manager shall be final.

§ 99.08 PROHIBITED ACTS.

(A) It shall be unlawful for any person to activate an alarm for the purpose of summoning either law enforcement or fire department assistance when no fire, burglary, robbery, or other crime dangerous to life is being committed or attempted on the premises or otherwise to cause an alarm response where there is no valid basis for causing same.

(B) It shall be unlawful for an alarm user to fail to pay the City of Creedmoor for alarm response(s) in accordance with § 99.06 (A) and (B).

§ 99.09 ENFORCEMENT OF VIOLATIONS.

(A) All violations of this chapter, including failure to pay the fines imposed herein within 30 days following notice that said fees are due, shall subject the offender to a civil penalty in the nature of a debt.

Such civil penalties may be recovered by the City of Creedmoor in a civil action in the nature of a debt, pursuant to G.S. § 160A-175(c).

(B) Effective on the date of this chapter (i.e. June 15, 2015), all alarm users shall begin with a number of zero responses for purposes of § 99.06(A).

§ 99.10 MISCELLANEOUS.

(A) The alarm user, upon being notified that the alarm system has been experiencing an excessive number of false alarms or has in some way become defective, shall have the alarm system inspected and repaired by a qualified individual or company so as to correct any malfunction, restore the system to proper function, and shall thereafter notify the Creedmoor Police Department and/or the Granville County 911 Emergency Communications Center, as applicable, when the necessary repairs have been completed.

(B) The alarm user or the user's representative shall respond to an alarm call when there is evidence of an illegal entry, fire, or some other alarm indication and, when feasible, assist law enforcement personnel or Fire Department personnel in the performance of their duties. Such assistance shall be provided only upon request from responding law enforcement personnel or Fire Department personnel.

Section 2. All provisions of any City ordinance or resolution in conflict with this ordinance are repealed.

Section 3. This ordinance is effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 10th day of December, 2022.

Ayes: 4

Noes: —

Absent or Excused: 1

Dated: December 19, 2022

Robert V. Wheeler

Robert V. Wheeler, Mayor

Attest:

Barbara Rouse

Barbara Rouse, City Clerk



