

EXCERPT FROM THE CAÑON CITY MUNICIPAL CODE

Chapter 9.10 ALARM SERVICES

9.10.010 Definitions.

As used in this chapter:

A. “Alarm” means any signal to which the Police or Fire Department respond or are dispatched pursuant to notification.

B. “Alarm device” means any device that is designed or used to signal the occurrence of a burglary, robbery, other criminal offence, or fire. This term does not include an alarm affixed to an automobile.

C. “Alarm business” means any person that monitors, either directly or through subcontractors, signals from alarms, central alarm systems, direct dial alarm systems or other alarm systems and sources for compensation or other pecuniary benefit. An alarm business also includes any person that sells and/or installs alarms for compensation and thereafter provides monitoring services with respect to such alarms, with or without additional charges.

D. “Alarm site” means a single premises or location located within the City of Cañon City that is served by an alarm business. Each tenancy, if served by a separate alarm device in a multi-tenant building or complex, shall be considered a separate alarm site.

E. “Audible alarms” means an alarm which makes an audible sound but for which a monitoring or alarm business is not contracted for monitoring.

F. “Central alarm system” means any system used to receive signals from alarm devices that are monitored by an alarm business or a subcontractor of an alarm business.

G. “Direct dial alarm systems” means those alarms which, when triggered, dial any telephone number to which they are programmed to notify.

H. “False alarm” means any alarm unless:

1. Evidence exists to substantiate an attempted or forced entry to the premises;
2. Evidence exists to substantiate that the alarm was triggered by combustion or fire, lightning, or phone company maintenance or repair work;
3. Activated for testing, construction or maintenance purposes and the Police or Fire Department has been notified and given prior approval.

I. “Monitor” means the process by which an alarm business receives signals from alarm devices and relays a request to emergency service providers for the purpose of summoning public safety service providers to the alarm site.

J. “Person” means any individual, firm, partnership, joint venture, corporation, limited liability corporation or other legal entity. (Ord. 24-2007 § 1)

9.10.020 Permits required—Application—Fees.

A. No person shall operate, maintain, serve or function as an alarm business or operate as a central alarm system monitoring service within the City without first obtaining a alarm monitoring permit issued by the City Clerk in accordance with the provisions of this chapter.

B. An applicant for a permit under this chapter shall file an application with the City Clerk on forms supplied by that office containing all requested information, including, without limitation:

1. The name, address and emergency and non-emergency telephone numbers of the applicant;

2. The name, address and emergency and non-emergency telephone number(s) of the local operator(s) and/or responsible party(ies) of the alarm business (if different from subsection (B)(1) of this section);

3. An individual history record and criminal record check for each individual applicant, all general partners of a partnership, and limited partners owning ten percent (10%) (or more) of a partnership; all officers and directors of a corporation, and stockholders of a corporation owning ten percent (10%) (or more) of the stock of such corporation; all limited liability company managing members, and officers or other limited liability company members with a ten percent (10%) (or more) ownership interest in such alarm business;

4. A list of any service contractors or subcontractors for such alarm business; and

5. An individual history record and criminal history record for every manager of the locally operating alarm business.

C. Permits shall be issued by the City Clerk for the calendar year or remainder thereof, upon payment in advance of a fee of two-hundred fifty dollars (\$250.00).

D. Following receipt of a properly completed application containing all requested information, the City Clerk shall forward all application materials to the Chief of Police for review. The City may conduct a background investigation of the applicant,

and any individual identified in response to subsection (B)(3) of this section to determine if they are of good moral character.

E. Upon approval of the application by the City Clerk and the Chief of Police, the City Clerk shall issue the permit.

F. A permit may be denied only upon a joint finding by the City Clerk and Chief of Police that:

1. The applicant or any person identified at subsection (B)(3) of this section is not a person of good moral character;
2. The application contains a misleading or fraudulent statement of a material fact;
3. The applicant had a similar permit revoked during the twelve (12) month period immediately preceding the date of the application;
4. The application is materially deficient;
5. The applicant has failed to pay when due fees with respect to false alarms that are provided for in this chapter.

G. Any denial made pursuant to subsection F of this section shall be made in writing and contain the findings upon which the denial was based. Such a denial shall be appealable as an administrative decision in accordance with the provisions of Chapter 2.52 of this Code.

H. The City reserves the right to request additional information necessary to make a decision regarding the issuance of such permit. Such additional information may include, but is not limited to, experience in alarm business profession, a list of all employees along with additional background information on each employee, a list of all customers (within city limits) of the alarm business, and/or the specifications of the alarm system installed and a description of the methods by which monitoring is conducted.

I. Any permit issued pursuant to this chapter may not be transferred to another person or company. (Ord. 24-2007 § 1)

9.10.030 Permit—Revocation.

A permit granted pursuant to this chapter may be revoked by the joint decision of the City Clerk and the Chief of Police for violation of any provision of this chapter and/or of the rules and regulations, if any, promulgated pursuant to Section 9.10.040; provided that written notice of any such revocation shall be sent to the licensee and shall be appealable as an administrative decision pursuant to Chapter 2.52 of this Code. No revocation shall become effective until thirty (30) days after the date the notice of

revocation is mailed, postage prepaid, to the licensee's address, as shown in the City's files, or such notice is otherwise served upon the licensee. Additionally, such revocation shall be further stayed until the completion of the licensee's appeal pursuant to Chapter 2.52, if a timely and adequate request for hearing is filed in accordance with subsections B and C of Section 2.52.010 of this Code. (Ord. 24-2007 § 1)

9.10.040 Administration and enforcement.

The provisions of this chapter shall be administered and enforced by the City Clerk and the Chief of Police, jointly. They shall have the power to make and enforce such rules and regulations as may, in their discretion, be necessary to implement the provisions of this chapter, including rules and regulations regarding installation of central alarm systems. (Ord. 24-2007 § 1)

9.10.050 False alarm—Penalty—Payment of penalty.

A. An alarm business shall be liable to the City in the sum of twenty-five dollars (\$25.00) for the fourth false alarm during any calendar year period at any one alarm site for which the permittee provides monitoring service, and fifty dollars (\$50.00) for each false alarm in excess of four (4) during any calendar year period at any one alarm site for which the permittee provides monitoring service.

B. All false alarm charges shall be paid to the Finance Department of the City within thirty (30) days of the notice date, and unpaid charges and portions thereof shall accrue interest at the rate of one and one-half percent per month thereafter. (Ord. 24-2007 § 1)

9.10.060 Intentional false alarms—Misdemeanor.

Any person who intentionally activates or causes a false alarm, in addition to any penalties which may be imposed under this chapter, shall be guilty of a misdemeanor. (Ord. 24-2007 § 1)

9.10.070 Direct dial systems.

No person may install a direct dial alarm system coded to any telephone number without the permission of the person to whose telephone it is coded. (Ord. 24-2007 § 1)

9.10.080 Audible alarm requirements.

Any person maintaining an audible alarm as part of a building alarm system shall post a notice stating the names and telephone numbers of the persons to be notified to render repair or service and to secure the premises if any alarm is activated. Such notice shall be posted near the alarm in a position legible from the ground outside the building where the alarm system is located. (Ord. 24-2007 § 1)

9.10.090 Violation—Misdemeanor.

Any person violating any of the provisions of this chapter is guilty of a misdemeanor, and, upon conviction, in addition to any other charges applicable pursuant to this chapter, shall be punished by a fine of not less than three hundred dollars (\$300.00), nor more than one thousand dollars (\$1,000.00). Each occurrence of a violation, or, in the case of a continuous violation, each day a violation occurs or continues, constitutes a separate offense and may be punished separately. (Ord. 24-2007 § 1)