

CITY OF O'FALLON, ILLINOIS
ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
CODE OF ORDINANCES OF THE
CITY OF O'FALLON, CHAPTER 96,
ALARMS SYSTEMS, SECTIONS
96.01 (DEFINITION OF A
"FIRE ALARM"), 96.02 (A), 96.02 (B)
(FALSE ALARMS RESTRICTED;
CONNECTION TO 911
RESTRICTED), 96.03 (A) AND
96.03 (B)
(SERVICE FEES FOR ALARMS)**

WHEREAS, Ordinances 1422, 1485 and 1722 contain information relevant to the definition, restrictions and fees associated with Alarms Systems, and:

WHEREAS, the City determines it is in the interest of the public that persons, businesses and corporations operating in the area served by the O'Fallon Fire Department that operate burglar and fire alarm systems be subject to appropriate regulation aimed at reducing false alarms, and;

WHEREAS, the current regulation allows for three (3) false alarms in any month and a fee of thirty dollars (\$30) per incident after three (3) false alarms, and;

WHEREAS, in an effort to further reduce the number of false alarms the City finds it necessary to reduce the number of allowed false alarms from three (3) in a one month to two (2) in 30 days and to increase the fee from thirty dollars (\$30) per incident after 3 to one hundred dollars (\$100) per incident after 2, and;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O'FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:

Section 1: The foregoing recitals are incorporated herein as findings of the City Council.

Section 2: CHAPTER 96, SECTION 96.01 (Definitions) is amended as follows:

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FALSE ALARM. Any and all detonations of burglar alarms or fire alarms (when, in fact, no burglar, thief, interloper or person breaching the peace is on the premises or there is no smoke or fire on the premises) if the detonation was caused by human error or equipment malfunction at the physical premises on which the alarm is installed, but not if the detonation was caused by a malfunction in telephone lines or equipment not located at the physical premises on which the alarm is installed.

FIRE ALARM. Any alarm system designed to detect and signal the presence of smoke or fire at any premise in the City or any part of the surrounding Rural Fire Protection District served by the O'Fallon Fire Department which is monitored by a commercial alarm company.

PERSON, BUSINESS, or CORPORATION. Any person owning, operating, in control of, or managing the premises from which transmission of a false alarm occurred.

Section 3: CHAPTER 96, SECTION 96.02 (False Alarms Restricted; Connection to 911 Restricted) is amended as follows:

(A) It shall be unlawful for any person, business or corporation residing or doing business in the area served by the O'Fallon Fire Department or having on the person's or its premises a burglar alarm or fire alarm to permit or allow the transmission of a false alarm if the burglar alarm or fire alarm in question has transmitted two or more false alarms within the immediately preceding 30 days.

(B) It shall be unlawful for any person, business or corporation residing or doing business in the area served by the O'Fallon Fire Department to cause to be connected any device which electronically or mechanically dials the 911 emergency response number which will communicate directly with the 911 operator at the time the call is placed.

Section 4: CHAPTER 96, SECTION 96.03 (Service Fees for False Alarms) is amended as follows:

(A) Any person, business or corporation residing or doing business in the city or, in the area served by the O'Fallon Fire Department, or having on the person's or its premises a burglar alarm or fire alarm which transmits 2 false alarms within a 30 day period shall upon the third transmission of a false alarm be charged a service fee of \$100.00 for each transmission of a false alarm thereafter for that 30 day period. The Director of Public Safety shall notify the person, business or corporation of the service fee in writing, setting forth the service fee owed for that 30 day period. The person, business or corporation receiving such notification shall within 15 days of receipt thereof pay to the city the service fee owed. Any person, business or corporation failing to timely pay the service fee owed shall be deemed in violation of this section and shall be penalized as provided in § 96.99.

