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**AN ORDINANCE  
of the  
CITY OF  
MINNEAPOLIS**

**By: Lilligren**

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**Amending Title 9, Chapter 176 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Burglar and Holdup Alarm Systems.**

The City Council of The City of Minneapolis do ordain as follows:

That Section 176.10 of the above-entitled ordinance be amended to read as follows:

**176.10. Definitions.** The following terms when used in this chapter shall have the following meanings, respectively:

*Alarm business.* The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving, or installing any alarm system or causing to be sold, leased, maintained, monitored, serviced, repaired, altered, replaced, moved, or installed, any alarm system in or on any building, structure, or facility. This includes alarm system monitoring companies and alarm system operators that are located outside the city limits of Minneapolis which monitor alarms installed within the city limits of Minneapolis.

*Alarm site.* A single, fixed premise, building, structure, facility or location served by an alarm system. Each tenant's space within a multi-tenant building or complex, if served by a separate alarm system, shall be considered a separate alarm site.

*Alarm system.* Any instrument(s) or other device(s) which, as one of its purposes, is used to protect buildings, premises, or persons from criminal acts or unauthorized entries by warning persons of a crime or unauthorized entry through the emission or transmission of a sound or signal.

*Alarm user.* The person, employee, firm, partnership, association, corporation, company, or organization of any kind which uses or is in control of an alarm system at an alarm site, regardless of whether it owns or leases the system.

*Calendar year.* The period January first through December thirty-first of each year.

~~*Department.* The Licenses and Consumer Services Division of the Department of Regulatory Services of the City of Minneapolis.~~

*Director.* The Director of the Licenses and Consumer Services Division of the Department of Regulatory Services of the City of Minneapolis, or his or her designee.

*Enhanced alarm verification process.* An alarm business must make at least two (2) calls to the call list to verify that there is a valid alarm before requesting dispatch from MECC.

*False alarm.* Any activation of an alarm not caused by or as a result of a criminal act, an unauthorized entry, or an act of nature as determined by the responding police officer.

*Licensing official.* The official designated by the director of community planning and economic development, who supervises the licensing and consumer services functions of the city.

*MECC.* The Minneapolis Emergency Communications Center. The public safety communication center for all emergency police, fire, and ambulance services for the City of Minneapolis.

*Valid alarm.* An activation of an alarm caused by or as a result of a criminal act or unauthorized entry as determined by the responding police officer.

Section 2. That Section 176.40 of the above-entitled ordinance be amended to read as follows:

**176.40. False alarms; penalties.** (a) The alarm user shall pay a penalty to the city for each false alarm per calendar year. The penalty shall be:

(1) *First alarm—Registration required.*

- a. *Registration fee.* Upon the first false alarm a registration fee of thirty dollars (\$30.00) shall be imposed.
- b. *Application procedure.* An alarm user must submit application materials as determined by the ~~director~~ licensing official.
- c. Registration will be considered a lifetime registration if there are no false alarms in future years.

(2) *Second alarm fine* .....\$100.00

(3) *Third alarm fine* .....200.00

(4) *Fourth alarm fine* .....300.00

(5) *Fifth alarm fine* .....400.00

The fine shall increase by the sum of one hundred dollars (\$100.00) for each succeeding false alarm thereafter.

(b) A penalty of two hundred dollars (\$200.00) shall be paid by the alarm business to the city for each false alarm where the responding police officer determines that it was caused by the on-site actions of an employee of the alarm business.

(c) Fines are due within thirty (30) days of the date of the invoice.

Section 3. That Section 176.50 of the above-entitled ordinance be amended to read as follows:

**176.50. Suspension of police response.** (a) *Notice.* Upon the occurrence of the fifth false alarm within a calendar year, or where the alarm user is more than forty-five (45) days overdue in their payment of alarm penalties, the ~~director~~ licensing official shall serve, in person or by U.S. mail, the alarm user or the alarm user's designated contact person with written notification that effective immediately the Minneapolis Police Department may not respond to alarm dispatch requests from that site unless there is an in-person call for assistance from someone at the premises or other independent information that verifies the need for immediate police response. Police suspension shall remain in effect until full payment of alarm fines ~~are paid~~ is made.

(b) *Suspension of police response.* Upon the exhaustion of any departmental, administrative, and judicial appeal of a notice to suspend, the Minneapolis Police Department, in determining whether to make an immediate police response to notification of a signal from that alarm user's alarm system, may disregard that alarm dispatch request when the alarm signal is the only basis for making the dispatch request in accordance with section 176.50(a). Where there is, in addition to the alarm dispatch request, an in-person call, verification from a person at or near the premises or other independent evidence shows a need for police dispatch to the alarm site, police may consider the suspension of police response as an additional factor in the decision to order an immediate police response.

Section 4. That Section 176.55 of the above-entitled ordinance be amended to read as follows:

**176.55. Appeal.** (a) *Appeal letter.* An alarm user or alarm business who wishes to appeal a false alarm, penalties or suspension of police response must file an appeal in writing to the ~~director~~ licensing official within fifteen (15) days of notification of a false alarm, issuance of any fines or penalties or notification of suspension of police response. Failure to file a timely appeal shall constitute a waiver of the alarm user's or

alarm business's right to appeal provided however, that the ~~director~~ licensing official may, with discretion, waive the fifteen-day limit if good cause is shown. There shall be no rights to appeal the decision of the director to not waive the fifteen-day time limit for appeal. While the appeal is pending, the action proposed by the ~~director~~ licensing official shall not be implemented.

(b) Within five (5) days of the director's receipt of the written appeal and after review of the files for the alarm site, alarm user, and alarm business, and all the submissions of the alarm user, the ~~director~~ licensing official shall issue a decision to confirm, suspend, or rescind the suspension notice and serve a written copy thereof on the alarm user or the alarm user's contact person by mail.

(c) The decision of the ~~director~~ licensing official shall be final.