



## City of Wichita's False Alarm Penalties and Procedures-October 2014

### CHAPTER 3.41 ALARM ORDINANCE SUMMARY FOR ALARM BUSINESSES

The objective of the Wichita alarm ordinance is to reduce the number of false alarms which are generated each day within the City of Wichita so that emergency personnel are free to respond to real emergencies. The False Alarm Response fee is based on the alarm business dispatch calls to the Emergency Communications Center reporting the alarm; the fees are not based on emergency response. **The following information is a summary of the City of Wichita Chapter 3.41 Alarm Systems Ordinance and is not intended to cover everything included within the ordinance.** Whenever summarization creates a conflict, the official ordinance governs. A copy of the entire ordinance is available for your review at the City Clerk's office or directly from the Internet at [www.wichitapolice.com](http://www.wichitapolice.com).

"False alarm" means the activation of an alarm system in the City resulting in a request for response by law enforcement, fire or emergency medical personnel when a situation requiring a response does not, in fact, exist at the time of the activation of the alarm.

#### **In summary, Chapter 3.41 Alarm Systems states the following:**

##### **1) Alarm Business License Required.**

- a) All alarm businesses operating in Wichita who engage in the act(s) of altering, installing, leasing, selling, maintaining, repairing, servicing or monitoring alarm systems in Wichita must be licensed by the City.
- b) Any person desiring to engage in or work in the business of installing, repairing or altering alarm systems must be certified by the Metropolitan Area Building and Construction Department (MABCD).
- c) Business licenses must be renewed annually by submitting an application to the City of Wichita Licensing Department. The fee is \$100.00 per year.
- d) The license application must be complete and include the following documentation in order to be processed:
  - i) A copy of the certificate issued by the MABCD with each person's certification number, level of certification, and the agency by which the technician is certified.
  - ii) Proof of General Liability Insurance Coverage.
  - iii) A statement that no agent, representative or employee of the applicant whose duties include entry into personal residences or any other premises is a registered sex offender, and have, subject to audit by the Chief of Police, performed the necessary background check on any agent, representative or employee.
  - iv) A certificate of Good Standing from Kansas or other state of incorporation or registration
- e) At time of license application, every alarm business is required to ensure all fees and/or penalties owed assessed under this Chapter have been paid in full to the appropriate department.
- f) At time of license application, every alarm business is required to submit a complete list of all active customers to the Alarm Administrator in the designated format.
- g) No license will be issued to any alarm business that fails to meet the alarm business licensing requirements.

##### **2) Required Operational Practices:**

- a) All alarm businesses installing, repairing, or altering alarm systems must adhere to the alarm system installation requirements as set forth in Section 3.41.090.
- b) When an alarm company leases or installs an alarm system, it shall be the responsibility of the alarm business to:
  - i) Provide the Alarm User written instructions on how to operate the system and any user maintenance which may be required.
  - ii) Provide the Alarm User a written copy of the City of Wichita's false alarm penalties and procedures, provided by the Alarm Administrator.
- c) When dispatching alarms, all alarm businesses will use Enhanced Call Verification (ECV) as provided in Section 3.41.100.

##### **3) Alarm User Registrations.** It shall be the responsibility of the Alarm User to register and annually renew their alarm system permit with the Alarm Administrator as set forth in Section 3.41.115.

- a) Registration must be completed by the Alarm User within 5 business days of installation of the alarm system.
- b) Registration will be completed online using the City of Wichita's billing vendor website at [www.crywolfservices.com/wichitaks](http://www.crywolfservices.com/wichitaks)

- c) If an Alarm User has multiple alarm systems, a permit is required for each alarm system even if the alarm systems are located at the same address.
- d) A fee of \$25.00 per alarm permit is required upon registration and annual renewal. However, if the alarm user has not had any false alarms during the previous 12-month registration period the annual \$25.00 permit fee shall be waived for the upcoming year.
- e) Any change of address or ownership of the alarm system will require a new permit to be registered and will be subject to the \$25.00 registration fee.
- f) Permits expire 1 year from issuance. The Alarm Administrator will notify the Alarm User of the need to renew the alarm permit 30 calendar days prior to the expiration date.
- g) Alarm systems designed only to signal the presence of medical emergencies are not required to be registered under Chapter 3.41.

**4) False Alarm Fees, Penalties, and Non-response:**

- a) Graduated false alarm fees will be based only on the same type of previous false alarm. No response fee shall be charged for the first false alarm, regardless of type, each registration year.

NUMBER OF ALARMS	FALSE ALARM FEE – SECURITY ALARMS	FALSE ALARM FEE– FIRE ALARM
1	\$0	\$0
2	\$40	\$100
3	\$40	\$100
4	\$60	\$150
5	\$60	\$150
6	\$120	\$300
7 – 9	\$200	\$500
10th or more	\$350	\$750

- b) If an alarm is received by the communications center from an alarm system which has not been registered or renewed as required in Section 3.41.115, an administrative penalty of \$150.00 shall be assessed against the Alarm User for having failed to register or renew the alarm system with the City. Such penalty shall be in addition to the false alarm charges assessed to the alarm user.
- c) Should a disagreement arise over whether any particular false alarm fee or administrative penalty should be assessed, the alarm user may appeal the alarm activation by submitting a letter of appeal within 30 calendar days of the original invoice date. A \$10.00 appeal fee must be submitted for each false alarm being disputed. The appeal and required appeal fee(s) must be mailed to the Alarm Administrator’s office. A full copy of the appeal requirements is available online at [www.crywolfservices.com/wichitaksor](http://www.crywolfservices.com/wichitaksor) or [www.wichitapolice.com](http://www.wichitapolice.com), or by calling 877-888-1355.
- d) All false alarm fees or administrative penalties are due and payable within 30 days from the original invoice date. If the fee is not paid within 60 days, a late fee of \$10.00 will be assessed. If the fee remains unpaid at 90 days, an additional late fee of \$10.00 will be assessed. If all fees remain unpaid at 120 days, the fees will be turned over for collections. The City Attorney is authorized to use any legal means to recover fees and administrative penalties assessed by this Chapter.
- e) Response to an alarm system may be suspended if the location has more than 6 false alarms per registration year and/or fails to pay fees or penalties as set forth in this Chapter. Response may be reinstated if the alarm user:
  - i) Pays, or otherwise resolves to the satisfaction of the Alarm Administrator, all fees and/or penalties; and
  - ii) Submits a certification from an alarm company, properly licensed by the City of Wichita, stating that the alarm system has been inspected and repaired (if necessary), is in proper working order, and that the Alarm User has been re-trained on the proper use of the alarm system.