

CHAPTER 37

FALSE ALARMS

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37.01 PURPOSE. The purpose of this chapter is to assess a civil penalty for false alarms received by the Police Department or Fire Department which require a police officer to report to the scene or a response from the Fire Department to the scene. False alarms are an increasing problem, in part due to errors by the owners or operators of the system or failure on the part of operators of the system to shut the alarm down before entering the premises. False alarms expose the public to danger as well as additional costs in response by the Police or Fire Department to those alarms. Alarms caused by power surges or electrical storms would not be included in the false alarm category.

37.02 DEFINITION. “False alarm,” for the purpose of this chapter, means the activation of a mechanical or electrical alarm system which reports to the Police Department or Fire Department, which in turn requires the police to report to the scene or a response from the Fire Department. Upon reporting to the scene, the alarm is discovered to have been activated when no burglar or unauthorized person had entered or had attempted to enter the premises and no fire is present on the premises.

37.03 PENALTY. The registered owner of the alarm system as shown on the records of the Police Department or Fire Department shall forfeit a civil penalty of \$50.00 for each false alarm to the police in excess of three such alarms received in a calendar year or a civil penalty in the amount of \$350.00 for each false fire alarm in excess of three such alarms received in a calendar year; provided, however, no such fee or civil penalty shall be assessed in the event it can be shown that the false alarm or false fire alarm was caused by a surge in electricity caused by a power company or that the same was caused by lightening or other natural causes which activated the alarm.

37.04 NOTIFICATION. Upon receipt of a false alarm, the Police Department or the Fire Department or the designee of either department shall notify the owner of the alarm as shown by the records of the department that the owner shall have 30 days within which to forfeit the required amount. Such amount shall be paid to the Clerk and a receipt shall be given. In the event that the owner of the alarm system as shown on the records of the Police Department, or of the fire alarm system as shown on the records of the Fire Department, shall fail to pay the civil penalty within thirty (30) days, the City shall file a claim with the Iowa District Court, Magistrate Division, alleging the circumstances and this chapter as the basis for the civil penalty.