



Minot Police Department

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City of Minot Alarm Ordinance

Sec. 27-51. - Legislative intent and purpose.

Public safety personnel are required to respond to every alarm signal given by an alarm and received by Minot Central Dispatch. To the extent they are required to respond [to] the false alarms, there results a waste of manpower and resources which could better be directed to other purposes. Consequently, the city council desires to enact a regulatory program concerning the maintenance and use of alarms which directly or indirectly result in a call or signal being received by Minot Central Dispatch, which call or signal is intended to produce a response from public safety personnel. The purposes thought to be accomplished in so doing include the following:

- (a) To require that certain alarms used in the manner just mentioned be designed, manufactured, maintained and operated in accordance with appropriate specifications.
- (b) To prohibit devices which unnecessarily tie up Minot Central Dispatch telephone lines.
- (c) To impose sanctions against persons who, through their negligence, are responsible for the occurrence of an excessive number of false alarms.
- (d) To require greater assistance from the persons who use such alarms in responding to alarms.

Sec. 27-52. - Definitions.

[The following terms, when used in this division, shall have the meanings ascribed to them in this section, except where context clearly indicates a different meaning:]

- (a) **Alarm** means a mechanical or electronic device which is designed to detect the occurrence of a given event and to provide notice of such occurrence by means of a signal of some sort (the alarm signal).
- (b) **Automatic dialing alarm** means a remote alarm which sends its alarm signal, without any human intervention, through the use of incoming telephone lines at Minot Central Dispatch which are customarily used for voice communication, and the call switching facilities of a local telephone company.
- (c) **Excessive false alarms** means more than eleven (11) false alarms given by the same alarm within a calendar year period. For purposes of this Division 3 (Alarms) Ordinance, a calendar year period is defined as commencing on January 1st and continuing through December 31st, inclusive, of each applicable yearly period.
- (d) **False alarm** means the giving of an alarm signal by an alarm which indicates the occurrence of the event which the alarm is designed to detect and give notice of, when in fact no such event has happened at the time that the alarm signal is given.
- (e) **Local alarm** means an alarm which does not operate, even in part, as a remote alarm.
- (f) **Permittee** means the person who owns or controls premises protected by a remote alarm for which a permit is required under [section 27-53](#).
- (g) **Remote alarm** is an alarm which is an integral part of a prearranged plan whereby an alarm signal originating with the alarm will be communicated forthwith to the city central dispatch, by such means as, for example, a direct connection, an automatic dialing device, or being relayed by a human.

Sec. 27-53. - Permit required for remote alarm.

(a) No person other than an employee or agent of the city shall interconnect a remote alarm to, or set up an arrangement whereby a remote alarm will communicate to, the city central dispatch, without first receiving a written permit from the chief of police.

(b) The application for a remote alarm permit shall be on forms provided by the chief of police, which shall require the applicant for the permit to provide the following information:

- (1) The name and mailing address of the permittee;
- (2) The street address of the premises being served by the remote alarm;
- (3) The home and business telephone number for the permittee and other persons who can act on behalf of the permittee to assist the police in responding to alarms originating from the permittee's remote alarm;
- (4) The name and model of the remote alarm for which the permit is sought, the name and business address of the person who will be installing the alarm and the name and address of the person maintaining the alarm, if different from the installer; and
- (5) Such other information as the chief of police might reasonably require to further the purposes of this division, including, specifically, information which would permit the chief of police to determine whether it is likely that the permittee will be able to conform to the requirements imposed pursuant to subsection (c) below.

(c) The chief of police may grant a permit conditionally, that is, subject to requirements which must be met by the permittee in order for the permit to remain valid. Among the requirements which may be imposed are the following:

- (1) Specifications as to the design and manufacture of the alarm, either generically or by way of approved brand name;

(2) Specifications as to the testing and mechanical maintenance of alarms subsequent to their installation, such as, for example, requirements that certain prescribed preventive maintenance be performed at certain prescribed intervals;

(3) Requirements that the applicant's employees be given appropriate training and instruction to the operation of the alarm so as to lessen the incidence of false alarms attributable to human error as opposed to mechanical malfunction;

(4) Requirements that the permittee or some other person authorized to act on his behalf be available customarily and promptly to assist the police in responding to alarms, such as, for example, in order that the police may speedily gain access to locked premises without being required to accomplish a forcible entry thereof; and

(5) Such other reasonable requirements as may be useful in accomplishing the purposes of this division.

(d) A permit once granted shall be in effect for the calendar year in which the permit is granted: provided, however, that the permit may be revoked by the chief of police if:

(1) The alarm is permanently disconnected or abandoned, or title thereto is transferred;

(2) The permittee does not meet the requirements imposed by the chief of police pursuant to subsection (c) above;

(3) The permittee fails to make timely payment of permit charges imposed by subsection (e) below; or

(4) The alarm is a source of an excessive number of false alarms.

(e) **There shall be imposed an initial fee of thirty dollars (\$30.00)** for the issuance of a remote alarm permit for each calendar year. Moreover, if the alarm for which the permit is issued should originate or should be used for the origination of a false alarm, the permittee shall pay a fee in accordance with the following schedule for the privilege of retaining the permit, unless the permit is being terminated pursuant to (d)(4):

(1) For the first false alarm in a calendar year, no charge will be imposed.

(2) For the second and any subsequent false alarm responses in a calendar year, the sum of \$50.00 per each false alarm occurrence will be imposed.

(f) Before terminating a license or imposing a permit fee pursuant to subsection (e) hereof, the chief of police shall ensure that the permittee is given the benefit of appropriate procedural rights inherent in the concept of due process, including, at a minimum, reasonable prior notice of the action to be taken, the alleged basis therefor, and an opportunity for a hearing.

(g) The denial or termination of a permit by the chief of police may be appealed first to the city manager and then, if necessary, thereafter to the city council.

(h) **The chief of police may waive the occurrence of a false alarm if it is demonstrated to his satisfaction that the reason for the false alarm was mechanical in nature, and not operator error; provided that, however, no such waiver may be given without written proof, such as an invoice for repair services and proof of payment, that the mechanical malfunction has been corrected.**

Sec. 27-54. - Automatic dialing alarms.

(a) No person shall use an automatic dialing alarm unless the alarm is so designed and constructed that it automatically breaks the telephone connection which it establishes with a city incoming telephone line within three (3) minutes of establishing such connection.

(b) No person shall program or permit an automatic dialing alarm to be programmed so as to call the "911" emergency telephone number.

Sec. 27-55. - False alarms.

(a) No person shall knowingly activate any alarm for the purpose of summoning public emergency response personnel to the premises protected by the alarm unless, under an objective good faith standard, he reasonably believes that under the circumstances then known to him, it is appropriate to summon public emergency response personnel.

(b) If a remote alarm has been designated by agreement between the city police force and the remote alarm permittee to be used only to indicate the occurrence of a particular crime or particular type of crime, no person with prior knowledge of the agreement shall knowingly activate the alarm for the purpose of summoning police to the premises protected by the alarm unless, under an objective good faith standard, he reasonably believes the particular crime or type of crime is being committed. For example, a "panic button" intended to signal the on-going commission of an armed robbery shall be not used to signal the commission of an act of shoplifting.

(c) **No person shall, without a valid alarm permit, have an alarm (except a fire alarm or alarm attached to a vehicle) that summons by activation, emergency personnel. The owner of an alarm that does not have a valid alarm permit for each calendar year will be responsible for a fifty dollar (\$50.00) fee per each alarm occurrence.**