

Code of Laws of Fulton County, Georgia

DIVISION 2. FALSE ALARMS

Sec. 46-171. Definitions.

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

Burglar alarm system means any assembly of equipment or device, whether mechanical or electrical, arranged or designed to signal by any means the occurrence of an illegal entry into the premises or any other activity requiring urgent police attention and to which the police department may reasonably be expected to respond; provided, however, that this definition does not include alarm systems installed exclusively for the purpose of signaling a robbery, a fire or a medical emergency, and does not include any alarm system installed in a motor vehicle.

Burglar alarm user means the person or other entity which owns, leases, rents, manages, possesses or has primary control over the premises in which a burglar alarm system is installed or maintained.

Chief of police means the Chief of the Fulton County Police Department or his designee.

False alarm means the activation of a signal from a burglar alarm system which elicits a response from the police department when there is in fact no emergency or actual or threatened criminal activity necessitating such a response. This definition includes, without being limited to, any burglar alarm system signal activated as a result of weather, negligence, accident, mechanical failure, electrical failure, electrical surge, signals activated intentionally in nonemergency situations and signals activated where the actual cause of such activation is unknown. There is a rebuttable presumption that an activated burglar alarm system signal is a false alarm if the responding police personnel, after following normal police procedures in their response and investigation, find no evidence of unauthorized entry, criminal activity or other emergency. An activated burglar alarm system signal shall not be considered a false alarm if:

- (1) The police department is notified to cancel its response by the burglar alarm user or the burglar alarm user's monitoring agent prior to the time police personnel arrive at the premises;
- (2) The burglar alarm system signal was intentionally activated by an individual based upon a reasonable belief that an emergency or actual or threatened criminal activity requiring immediate police response existed;
- (3) The burglar alarm system signal was activated by lightening or other act of nature resulting in an electrical surge which causes physical damage to the burglar alarm system and which damage is evidenced by the written report of a licensed burglar alarm system contractor who conducted an inspection of the system at the premises and personally observed such physical damage; or
- (4) The burglar alarm system combines both burglar and fire alarm functions and the alarm user demonstrates that the system signal was activated by the fire alarm portion of the system.

Police department means the Fulton County Police Department.

Premises means the building or structure or any portion of a building or structure in which there is installed or maintained a burglar alarm system.

(Ord. No. 97-0145, § 1(27-1-4(b)), 1-22-97)

Cross references: Definitions generally, § 1-2.

Sec. 46-172. Legislative findings and purposes of division.

The board of commissioners finds that police response to false burglar alarms creates additional risks to public safety by diverting limited law enforcement resources away from both real emergencies and normal patrol activities intended and designed to prevent criminal acts. Therefore, the purpose of this division is to promote public safety by making burglar alarm users in the unincorporated areas of Fulton County directly responsible for preventing false alarms.

(Ord. No. 97-0145, § 1(27-1-4(a)), 1-22-97)

Sec. 46-173. Registration of burglar alarm systems.

(a) No later than five business days following the installation of any burglar alarm system, the burglar alarm user shall provide the following information to the chief of police:

- (1) The complete name, address and phone number of the burglar alarm user;
- (2) The names of all persons authorized to enter the premises and deactivate the burglar alarm system signal as well as all phone numbers at which such persons can be reached;
- (3) The name and telephone number of the burglar alarm user's monitoring agent, if any; and
- (4) If known, the name and telephone number of the person or entity which installed the burglar alarm system.

(b) Any changes in the information set forth in subsection (a) of this section must be reported to the chief of police within five business days. Burglar alarm users utilizing burglar alarm systems installed prior to the effective date of this division (January 22, 1997) shall provide the information set forth in subsection (a) of this section to the chief of police no later than 60 days following such effective date, unless sooner requested in writing by the chief of police.

(c) The registration requirements of this subsection shall not apply where the burglar alarm system is installed in premises used exclusively for residential purposes; provided, however, upon the occurrence of the third false alarm within any calendar year at any such premises used exclusively for residential purposes, the chief of police is authorized to require in writing that the burglar alarm user comply with the registration requirements within five business days.

(Ord. No. 97-0145, § 1(27-1-4(c)), 1-22-97)

Sec. 46-174. Required alarm system signal deactivation.

No burglar alarm system installed after the effective date of this division (January 22, 1997) shall be used unless such system is equipped with a mechanism or device that automatically deactivates the burglar alarm system signal no later than 30 minutes after activation.

(Ord. No. 97-0145, § 1(27-1-4(d)), 1-22-97)

Sec. 46-175. Monitoring of false alarms; enforcement of division.

The chief of police shall receive and maintain all information required to implement the terms of this division and shall be responsible for its enforcement. This division shall be enforced by the issuance of a citation and prosecution in the Magistrate Court of Fulton County, or other court of competent jurisdiction.

(Ord. No. 97-0145, § 1(27-1-4(e)), 1-22-97)

Sec. 46-176. Prohibited acts.

It shall be a violation of this division for any burglar alarm user to cause, allow or permit three or more false alarms in any calendar year. It shall also be a violation of this division for any burglar alarm user to fail or otherwise refuse to comply with the registration or equipment requirements set forth in sections 46-173 and 46-174.

(Ord. No. 97-0145, § 1(27-1-4(f)), 1-22-97)

Sec. 46-177. Penalties for violation of division.

Upon conviction, violations of this division shall be punished as follows:

- (1) For the third and each subsequent false alarm that occurs at the same premises within any calendar year, a fine shall be assessed in the amount of \$50.00; provided, however, that no burglar alarm user shall be assessed fines in excess of \$200.00 for false alarms that occur at the same premises in any 24-hour period.
- (2) For all other violations of this division, not including false alarms, a fine shall be assessed in the amount of \$100.00.

False alarms shall not be counted for purposes of assessing the penalties provided for in subsection (1) of this section so long as such false alarms occur within ten days following the installation of the burglar alarm system.

(Ord. No. 97-0145, § 1(27-1-4(g)), 1-22-97)