



The Municipal Government of East St. Louis, Illinois

301 River Park Drive • East Saint Louis, Illinois 62201

CITY CLERK'S CERTIFICATE

**STATE OF ILLINOIS,
ST. CLAIR COUNTY
CITY OF EAST ST. LOUIS,**

}

I,

Dorene C. Hoosman

**CITY CLERK FOR THE CITY OF EAST ST. LOUIS, DO HEREBY CERTIFY THAT THE
ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF**

An Ordinance Repealing Ordinance # 16-10017 Regulating Alarms Systems Within The City of
East St. Louis

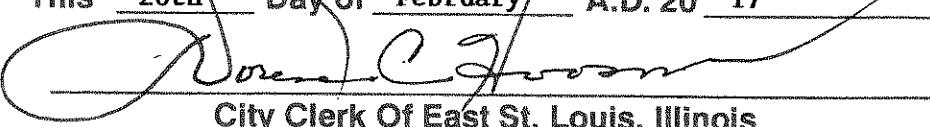
PASSED: Thursday/February 09, 2017 By The Board Of Councilmen and Mayor Emeka Jackson-Hicks

And I Further Certify That The Original Ordinance # 17-10008

**Of Which The Foregoing Is A Certified Copy, Is By Law Intrusted
To My Custody For Safe Keeping, And Is On File In My Office.**

WITNESS My Hand And The Corporate Seal Of Said City,

This 20th Day of February A.D. 20 17


Dorene C. Hoosman



ORIGINAL
8C

CITY OF EAST SAINT LOUIS
CITY COUNCIL • LEGISLATIVE BILL
301 RIVER PARK DRIVE, EAST SAINT LOUIS, IL 62201

LEGISLATIVE BILL FORM

Ordinance
 Resolution
Bill No. 17-10008

Title AN ORDINANCE REPEALING ORDINANCE #16-10017 REGULATING
ALARM SYSTEMS WITHIN THE CITY OF EAST ST. LOUIS

Account Code No.: _____ Title: _____

Availability of Funds: Yes No N/A Pending: _____

CITY COUNCIL COMMITTEE ACTIONS		EXPLANATORY STATEMENT
Assigned: _____		To rescind the previous ordinance and replace it with a new ordinance relating to the same subject matter
Date: _____		
<input type="checkbox"/> Community Development	<input type="checkbox"/> Public Works	
<input type="checkbox"/> Public Safety	<input type="checkbox"/> Finance	
<input type="checkbox"/> Government Operations		Date Prepared: <u>February 8, 2017</u>
<input type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE <input type="checkbox"/> OTHERS: _____		Legal Department ORIGINATING DEPARTMENT
Committee: _____	Date: _____	Attorney M. Wagner 2/8/17 DIRECTOR'S APPROVAL Date
<input type="checkbox"/> <input type="checkbox"/>		OTHER DEPARTMENT(S) AFFECTED DEPARTMENT: _____
<input type="checkbox"/> APPROVE <input type="checkbox"/> DISAPPROVE <input type="checkbox"/> OTHERS: _____		SIGNATURE Date
COMMENTS: _____		CITY MANAGER: _____
		SIGNATURE Date
		SIGNATURE Date
		SIGNATURE Date
RECEIVED BY: _____		SIGNATURE Date
		SIGNATURE Date

Ordinance # 17-10008

An Ordinance Repealing Ordinance # 16-10017 Regulating Alarms Systems
Within The City of East St. Louis, IL

Passed: February 09, 2017

Signed: February 10, 2017

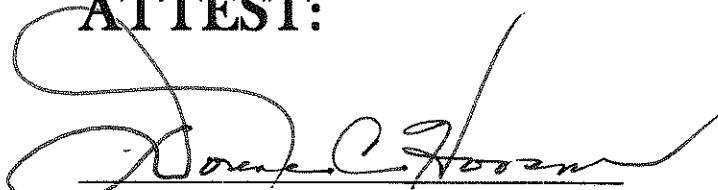
Recorded: _____, 2017

Filed: _____, 2017



Mayor Emeka Jackson-Hicks

ATTEST:



Dorene C. Hoosman

Dorene C. Hoosman, City Clerk

City of East St. Louis, Illinois – Alarm Ordinance 17-10008

An Ordinance repealing Ordinance **{16-10017}** regulating burglary and robbery alarm systems, alarm businesses, alarm agents and alarm subscribers and enacting in lieu thereof a new Ordinance relating to the same subject matter.

BE IT ORDAINED BY THE CITY OF EAST ST. LOUIS AS FOLLOWS:

Section One. Introduction

Ordinance **{16-10017}** is hereby repealed in its entirety and Ordinance 17-10008 enacted in lieu thereof is the following:

Section Two. Definitions

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein:

"ALARM AGENT" means any person who is employed by an alarm business, either directly or indirectly, whose duties include any of the following: selling, leasing, installing, maintaining, servicing, repairing, altering, replacing, moving, or removing any alarm system in any building, structure or facility.

"ALARM BUSINESS" means any legally licensed business, regardless of the jurisdiction in which located, which is engaged in the selling, leasing, installing, maintaining, servicing, repairing, altering, replacing, moving, or removing any alarm system in any building, structure or facility, to include sub-contractors.

"ALARM IDENTIFICATION NUMBER" means a number issued to an alarm subscriber by the Department of Regulatory Affairs for the purpose of identifying the alarm system for dispatching and record keeping purposes.

"ALARM SITE" means a single premises or location served by an alarm system or systems. Each tenancy, if served by a separate alarm system in a multi- tenant building or complex, shall be considered a separate alarm site.

"ALARM SUBSCRIBER" means any person who leases, contracts for, buys or otherwise obtains and operates an alarm system for the purpose of obtaining response to the alarm, and on whose premises an alarm system is maintained, excluding audible alarms on motor vehicles and medical alarms.

"ALARM SYSTEM" means any mechanism, equipment or device, wire or wireless which is designed to detect an unauthorized entry into any building or onto any property, or to direct attention to a robbery, burglary, or other emergency in progress, and to signal the above occurrences either by a local or audible alarm or by a silent or remote alarm. The following devices shall not constitute alarm systems within the meaning if this ordinance: Devices which do not register alarms that are audible, visible, or perceptible outside the protected premises; or Devices which are not installed, operated or used for the purpose of reporting an emergency to the Police Department.

"AUTOMATIC DAILING DEVICE" means an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice-message indicating the existence of an emergency situation that the alarm system is designed to detect.

"BURGLARY" means the unlawful entry of a structure to commit a felony or a theft.

"BURGLARY ALARM SYSTEM" means an alarm system designed to signal an unauthorized entry or attempted entry into a building, structure or facility protected by the alarm system.

"CENTRAL MONITORING STATION" means an office to which alarm systems are connected, where operators supervise the circuits on a continuous basis, and where there is a subsequent relaying of messages concerning alarm activations to the Police Department.

"CHIEF OF POLICE" means the Chief of Police of the City of East St. Louis or his/her designated representative.

"Department of Regulatory Affairs" means the City of East St. Louis's licensing and Regulatory Affairs.

"DURESS ALARM" means a silent alarm signal generated by the manual activation of a device intended to signal a crisis situation requiring police response.

"FALSE ALARM" means the activation of a burglary or robbery alarm, whereby the police are summoned to a location and neither of those crimes is occurring nor is there any evidence of these crimes having occurred, or having been attempted. Alarms due to vandalism, destruction of property, telephone line faults, acts of God (to include, but limited to, thunderstorms as defined by the National Weather Service), or natural or manmade catastrophe as determined by the Chief of Police, shall not be considered "false" under this ordinance.

"HOLDUP ALARM" means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.

"LOCAL ALARM" means any alarm device audible at the alarm site.

"PANIC ALARM" means an audible alarm system signal generated by the manual activation of a device intended to signal a life-threatening or emergency situation requiring law enforcement response, not to include burglary alarm systems.

"PERSON" means and includes natural persons, without regard to number or gender, or any partnership, corporation or other type of legal entity.

"POLICE DEPARTMENT" means the Police Department of the City of East St. Louis, Illinois.

"PRIVATE GUARD RESPONDER" means a private guard company, an alarm company's guard, an alarm subscriber, or a person or entity appointed by an alarm subscriber to confirm by visual inspection that an attempted or actual crime has occurred at an alarm site.

"REVOCATION" means the permanent cessation of police response to the site of a registered alarm system.

"ROBBERY" means the taking or attempting to take anything of value from another person by force or threat of force or violence and/or by putting the victim in fear.

"SUBCONTRACTOR" means any person or business, regardless of the jurisdiction in which located who performs duties, directly or indirectly, at the direction of, or for, an alarm business which involve the selling, leasing, installing, maintaining, servicing, repairing, altering, replacing, moving, or removing any alarm system in any building, structure or facility.

"VERIFICATION ATTEMPT" means an attempt by an alarm business or its representative, to contact the alarm site by telephone or other electronic means before requesting police response in an effort to determine if an actual or attempted crime has occurred, or if the alarm was accidentally activated.

Section Three. Applicability of Provisions

The provisions of this ordinance shall apply to all alarm systems, wire or wireless, which are installed, connected, monitored, operated or maintained on the date this Ordinance becomes effective and subsequent thereto.

Section four. Alarm Business Requirements

- A. Business License Required. No alarm business, regardless of the jurisdiction in which located, including any subcontractor working either directly or indirectly at the direction of, or for an alarm business, shall operate in the City of East St. Louis without first procuring a business license from the Department of Regulatory Affairs of the City of East St. Louis as required under Ordinance _____. Before any license shall be issued, the applicant must attach to the application an affidavit that they will faithfully carry out the provisions of this Ordinance. In addition, the License Collector shall procure from the City Manager the applicant's Alarm Business Disclosure Information form as referenced in Paragraph B immediately following.
- B. Alarm Business Disclosure Information Form Required. Each alarm company, monitoring service and subcontractor must submit to the East St. Louis Department of Regulatory Affairs, and to the Chief of Police at the time of original license application and annually thereafter, during the month of January, a completed Alarm Business Disclosure Information Form containing the following information: The proper business or trade name, address and telephone number
 - 1. All other names, addresses and phone numbers under which the company, corporation or person conducts business.
 - 2. If an unincorporated association, the name of the owner and responsible associates.
 - 3. If a corporation, the names and positions of officers in the corporation, and the name and addresses of the registered agent.
 - 4. The full name and places of residence and business of a local legal representative designated to accept service on a court summons and appear in court for an alleged violation by the alarm business of any applicable provision of this Ordinance. Such representative must reside or work within fifty (50) miles of the boundary of the City of East St. Louis.
- C. Copy of Professional License to be furnished to the Department of Regulatory Affairs. The owner of an alarm business, including subcontractors shall furnish to the City of East St. Louis Department of Regulatory Affairs copy of their Professional Business License authorizing business as an Alarm Company, including sub-contractors. IDFPR License Required. No alarm business, regardless of the jurisdiction in which located, shall operate in the City of East St. Louis without having first procured a license from the IDFPR and that the license must remain in good standing as long as the alarm business operates in the City of East St. Louis.
- D. Changes of ownership or address to be reported to the City of East St. Louis Department of Regulatory Affairs. The owner of an alarm business licensed within the City of East St. Louis, including a subcontractor, shall notify the Department of Regulatory Affairs in writing within seven (7) days of any change in ownership or other business information concerning said business.

- E. Authority of the City of East St. Louis Department of Regulatory Affairs to Revoke Business License. The Department of Regulatory Affairs shall have the power and authority to revoke any license issued under this Ordinance for any willful violation by a licensed alarm business, including a subcontractor, or any provision contained in this Ordinance. The City Manager or the Chief of Police may petition the Department of Regulatory Affairs to revoke the license of an alarm business for flagrant and continuous violations of this Ordinance. The license shall be revoked only after the licensee shall have been notified in writing as his/her place of business of the violations complained about and shall have been afforded reasonable opportunity to have a hearing thereon before the Department of Regulatory Affairs.
- F. Exceptions. The provisions of Paragraphs "B" through "F" of this section shall not apply to:
 - 1. Persons engaged solely in the manufacture or sale of alarm systems or components from a fixed location who do not install, maintain, service or plan the alarm system for any location;
 - 2. Persons engaged in the repair of alarm systems or components from a fixed location and who do not, either personally or through an agent, visit the structure in which, or on which, the alarm system is installed.
- G. Requirement for Alarm Agent Identification Card. The owner of an alarm business operating in the city, including a subcontractor, shall be responsible for issuing each alarm agent a valid identification card in a form or manner approved by the East St. Louis Department of Regulatory Affairs containing a full-face photo of the agent, name, height, weight, date of birth, name of employing company and capacity with that company, and signature of holder. Each alarm agent is required to maintain on his/her person a valid identification card while acting in the scope of his/her employment and to produce the identification card upon request of any customer, prospective customer or lawful authority. Each alarm identification card will be valid for a period of two (2) years from the date of issuance, or until the agent terminates employment with the alarm company.
- H. Alarm Agent to Disclose Costs and Scope of Work to Customer. Each alarm agent, including an agent employed by a subcontractor, shall provide a written estimate to each prospective alarm subscriber before any work is begun. The estimate must provide full disclosure of all alarm installation and service costs, to include the cost for the electrical inspection and fees charged by the City of East St. Louis Department of Regulatory Affairs. In addition, the written estimate must include information identifying each opening, item or area of the building, structure or facility to be protected and describe the device or devices to be installed.
- I. Alarm Alteration Disclosure. It shall be unlawful for any person engaging in the alarm business, or any alarm agent, including a person employed by a subcontractor, to adjust, alter, fix or change any alarm system or part thereof without prior written disclosure of estimated costs and scope of work to the alarm subscriber.
- J. Responsibility of Alarm Business to Train New Subscribers. Each alarm business, including a subcontractor, shall be required to provide written instructions and training to new alarm subscribers in the proper operation of alarm systems to prevent the transmission of false alarms. Written operating procedures and the phone number of the central monitoring station shall be maintained at each alarm site by the alarm subscriber. At the time of alarm installation, each alarm business, including a subcontractor, shall have the alarm subscriber complete a form approved by the City of East St. Louis Department of Regulatory Affairs in which the subscriber certifies:

- (a) that the subscriber understands the requirement to register the alarm with the City of East St. Louis Department of Regulatory Affairs prior to activation of the alarm;
- (b) That the subscriber has received instructions from the alarm company in the proper operation of the alarm system and understands those instructions;
- (c) That the subscriber has received a copy of this ordinance and understands its provisions as such provisions apply to the subscriber and
- (d) Other requirements or information as determined by the Department of Regulatory Affairs.

In addition, the alarm agent shall provide to the alarm subscriber a brochure approved by the Department of Regulatory Affairs describing the rights and responsibilities of alarm subscribers. Each alarm business shall monitor each alarm account and establish procedures to identify alarm subscribers who have an excessive number of false alarms according to the criteria established Section Nine. 2. Each alarm business will perform corrective action designed to decrease the number of false alarms, which may include preventive maintenance and/or the upgrading or replacement of alarm systems

Section Five. Registration of Alarm Systems with the Department of Regulatory Affairs.

- A. An alarm subscriber shall not enter into an agreement for the installation of any alarm system with any alarm business or alarm monitoring company, including contractors or subcontractors, unless said business is currently licensed and registered by the City of East St. Louis Department of Regulatory Affairs.
- B. Prior to reporting any alarm sounding to the Police Department, the alarm company shall obtain an alarm identification number, through written notice from the Department of Regulatory Affairs, for each separate alarm system on a premise, including robbery and panic alarms that are not part of an integrated alarm system. The City of East St. Louis Department of Regulatory Affairs shall also notify, by written notice, the alarm business providing service to the alarm subscriber of said alarm identification number. No police dispatch shall be made in response to the alarm subscriber's alarm until written notice of the alarm identification number is made to both the alarm subscriber and alarm business. Failure to register an alarm system is a violation of this ordinance.
- C. Application for an alarm identification number shall be made to the Chief of Police in a manner and form prescribed by the Chief of Police. The alarm subscriber must provide a copy of the paid application for appropriate city inspections of the system, which may include an electrical inspection, before an alarm identification number can be assigned. In addition, the city may require subsequent appropriate city inspections of the system, which may include an electrical inspection, upon notification to the subscriber when the city has reasonable grounds to suspect the system is not properly installed, maintained, or functioning. Such inspections may require additional fees in accordance with the regular fees for such inspections established by the city from time to time.
- D. A registration fee will be collected by the alarm company from the alarm owner at the time of initial registration of the alarm system and remitted to the City of East St. Louis. Such registration fee will be assessed annually and remitted to the City of East St. Louis in a manner prescribed by the Chief of Police. Such registration fee shall be Thirty Dollars (\$30.00) for each residential alarm system and One Hundred Dollars (\$100.00) for each commercial alarm system. Failure of any alarm owner to pay a required fee within thirty (30) days of notice by the Chief of Police shall result in suspension of the alarm registration.

The alarm identification number shall be assigned to an alarm owner for an alarm system at a specific location. A new alarm identification number shall be assigned if there is a change in alarm owner or alarm

business responsible for that alarm system. The alarm business providing service to the alarm system shall notify the Chief of Police within ten (10) working days from the date the new alarm owner begins occupancy at a location where the alarm system is located, and provide all necessary information concerning such new alarm owner, along with the effective date of change in alarm owners. It shall be a violation of this ordinance for any person to use an alarm identification number assigned to another person. Failure to abide by this provision is a violation of this ordinance.

E. The Electrical Permit fee shall be a one-time charge of \$30.00 for residential or commercial alarm system. This fee includes the application and permit issuance process. Failure of any alarm company to pay a required fee within thirty (30) days of notice by the Department of Regulatory Affairs shall result in suspension of the alarm registration and the subscriber will be notified.

The alarm identification number assigned to an alarm system at a specific location shall remain unchanged, even though there is a new alarm subscriber at the residence or business. The alarm company providing service to the alarm system shall notify the Department of Regulatory Affairs within ten (10) working days from the date the new alarm subscriber begins occupancy at a location where the alarm system is located, and provide all necessary information concerning such new alarm subscriber, along with the effective date of change in alarm subscribers. It shall be a violation of this Ordinance for any person to use an alarm identification number assigned to another person; failure to abide by this provision will result in a suspension of alarm registration.

The Department of Regulatory Affairs may require the appropriate alarm company to perform a re-inspection of any alarm system, to include an electrical inspection, when there is evidence that such alarm system may be generating unnecessary false alarms, or upon request of the Chief of Police. Suspension of alarm registration may be ordered by the Chief of Police or Regulatory Affairs if such inspection uncovers deficiencies which are corrected by the alarm company within a time period established by the Department of Regulatory Affairs.

A. All alarm systems installed and operating prior to the effective date of this Ordinance shall comply with the provisions of this section within ninety (90) days of such effective date. Alarm systems installed and operating prior to the effective date of this Ordinance shall not be required to pay an additional electrical permit fee if the alarm company certifies that the existing system is properly installed and operating.

Section Six. Alarm Systems

All burglary alarm systems installed after the effective date of this Ordinance must be equipped with audible alert that can be heard by the subscriber throughout the protected premises. All alarm systems must be equipped with stand-by batteries to operate for not less than four (4) hours if power is interrupted. Back- up batteries should also prevent false alarms during power outages. Failure of an alarm subscriber to comply with any provision of Section Six can result in revocation of the alarm registration.

Section Seven. Alarm Reporting

A. No alarm company or monitoring service shall send, directly or indirectly, an alarm sounding notification to the Police Department following installation of an alarm system, until written notice of the alarm registration number has been received from the Department of Regulatory Affairs by both the alarm subscriber and alarm business providing service to such alarm subscriber.

B. All alarm soundings reported to the Police Department, either directly or indirectly, shall be done in a manner prescribed by the Department of Regulatory Affairs and shall include the requirement that the reporting party, alarm company or monitoring service give the valid alarm identification number, type of

alarm, exact numerical address of the alarm site, alarm subscriber name and name of current alarm company.

- C. Each alarm company shall establish alarm verification procedures with their customers. An up- to-date record shall be maintained by the alarm company containing the name and phone number(s) of both a primary and secondary local emergency contact who may be called to verify the validity of an activated alarm by personally appearing at the alarm site and securing the premises.
- D. Prior to requesting police dispatch to the site of an alarm sounding, the appropriate alarm company or monitoring service will make at least two verification attempts to determine if the alarm was activated in error before contacting the police. Additional efforts at verification may be made after police dispatch. A call cancelled by the alarm or monitoring company before police arrival at the scene will not be counted as a false alarm.

Section Eight. Responsibility of Alarm Subscriber or User

It shall be the responsibility of the alarm subscriber or user to: maintain premises containing an alarm system in a manner that insures proper operation of the alarm system; maintain the alarm system in a manner that will prevent or minimize false alarms; refrain from manually activating an alarm for any reason other than for the occurrence of an event for which the alarm system is intended to report; instruct all personnel who are authorized to activate the alarm system of the proper method of operation, to prevent false alarms.

Section Nine. False Alarms

- A. All alarm notifications requiring a police response are characterized as being either a legitimate alarm or a false alarm after inspection of the alarm site by the responding police officer(s).
 - 1. The following situations are considered to be legitimate alarms and are not chargeable to the alarm user.
 - Alarm activated due to criminal activity or attempted criminal activity.
 - Alarm activated as a result of weather (lightening, high winds, etc.)
 - Alarm activated due to a power outage or surge or damage to phone lines.
 - Alarm properly cancelled prior to the officer's arrival.
 - Alarm activated as a result of police radio interference.
 - Alarm malfunction due to manufacturer's defect of alarm equipment.
 - Other situations where it is determined by the responding police officer(s) that the alarm user could not have reasonably prevented the alarm activation.
 - 2. The following situations are considered to be false alarms chargeable to the alarm user if the Police Department responds to the alarm site.
 - Business alarms that are accidentally activated by an employee, owner, cleaning crew or other person(s) legally at the alarm site; and residential alarms that are accidentally activated by the homeowner, occupant, or person who is legally at the residence.

Alarm activated as a result of a domestic animal.

Alarm activated due to heating or air conditioning blowers turning on or due to the operation of other mechanical or electrical devices left operating.

Alarm activated due to falling stock or movement of hanging signs or other objects.

Alarm activated as a result of a malfunction in the alarm system.

Alarm caused by other condition that could have been reasonably prevented by the alarm user.

B. False Alarm Service Fee schedule. The provisions shall apply to each alarm system ninety (90) days after the date this Ordinance is signed by the Mayor and City Counsel.

Upon receipt of the first (1st) false alarm after the initial activation of an alarm system, the alarm subscriber shall be notified by the City of East St. Louis Alarm Billing section, notifying a false alarm has occurred and has been recorded at the registered alarm address, and notifying the subscriber that any subsequent false alarm occurrences will be subject to penalties as provided by Ordinance; upon receipt of the second (2nd) false alarm within a twelve month period, the alarm subscriber shall be assessed a service fee of twenty-five (\$25.00) dollars.

Upon receipt of the third (3rd) false alarm within a twelve-month period, the alarm subscriber shall be assessed a service fee of twenty-five dollars (\$25.00).

Upon receipt of the fourth (4th) false alarm within a twelve-month period, the alarm subscriber shall be assessed a service fee of twenty-five dollars (\$25.00).

In addition, a written notice shall be issued by the City's Alarm Billing Section to the alarm subscriber, and to the alarm business providing service to such alarm subscriber, advising that police response to the alarm system shall be suspended for a period of thirty (30) days effective fourteen (14) days after the date of notice. No alarm subscriber or alarm business shall send an alarm sounding notification to the Police Department from an alarm system that has been suspended, except as provided herein.

Police dispatch to a location with alarm revocation will be limited to those situations where a private guard responder has first responded to the alarm site and confirmed that an attempted, suspected or actual crime has occurred at such alarm site; however, the private responder shall be required to remain at the scene until arrival of police. This provision will also apply to local alarms, but will not apply

To the activation of duress, panic, or holdup alarms. All service fees for false alarms under this section shall be payable to the City of East St. Louis Police Department.

Section Ten. Registration Suspension and Reinstatement

An alarm subscriber who has been suspended under the provisions of this Ordinance shall be reinstated after completion of the thirty-day suspension provided that the alarm business which installed the alarm system certifies that the alarm subscriber has been retrained in the proper use of the alarm system; certifies that the subscriber's alarm system is in proper working condition. Any alarm subscriber who has been suspended due to false alarms and has been reinstated shall be subject to a service fee of fifty (\$50) dollars for each subsequent false alarm reported on their alarm system up to a maximum of four (4) additional false alarms within the original twelve (12) month registration period. If the subscriber exceeds seven (7) false alarms within any registration year a written

notice shall be issued by the Department of Police (or its designee) to the alarm subscriber, and to the alarm business providing service to such alarm subscriber, advising that police response to the alarm system shall be suspended for a period of twelve (12) months, effective fourteen (14) days after the date of the notice. No alarm subscriber or alarm business shall send an alarm sounding notification to the Police Department from an alarm system that has been suspended, except as provided herein. Police dispatch to a location with an alarm revocation will be limited to those situations where a private guard responder has first responded to the alarm site and confirmed that an attempted, suspected or actual crime has occurred at such alarm site; however, the private responder shall be required to remain at the scene until arrival of the police. This provision will also apply to local alarms, but will not apply to the activation of duress, panic or holdup alarms. All service fees for false alarms under this section shall be payable to the City of East St. Louis Police Department. All other subscribers shall annually revert to the beginning fine structure at the start of each annual registration period.

Section Eleven. Deliberate False Alarms

- A. No person shall cause to be activated or transmitted to the Police Department an alarm of any type from a wire or wireless system, either directly or indirectly, knowing the same to be false or without basis in fact.
- B. No person shall cause to be activated or transmitted to the Police Department an alarm of any type from an unregistered or revoked alarm system, wire or wireless, when no bona fide incident has occurred.
- C. Central monitoring stations shall not request law enforcement response to alarm sites when monitoring equipment indicates an alarm system malfunction.

Section Twelve. Automatic Dialing and Prerecorded Message Alarm Systems Prohibited

It is unlawful to maintain, operate, connect or allow to be maintained, operated or connected any dialing device which automatically dials the Police Department and then relays any pre-recorded message to report any robbery, burglary, or another emergency.

Section Thirteen. Dispatch of Panic Alarm on Burglary Alarm System Prohibited

No alarm agent alarm business or alarm subscriber shall request dispatch of a panic alarm installed on a burglary alarm system. However, nothing in this section shall prohibit the dispatch of a panic alarm installed on a robbery or medical alarm system, or the dispatch of a duress alarm installed on any alarm system.

Section Fourteen. Vision-Obscuring Device Prohibited.

It is unlawful for any person to install or use an alarm system or device that emits or produces real or simulated smoke, fog, vapor or any like substance that obscures vision. Use of this device shall result in no Police response.

Section Fifteen. Local Alarms Not to Sound for More Than Fifteen Minutes

It shall be unlawful for any person to allow a local alarm to sound for more than fifteen minutes without termination.

Section Sixteen. Penalty Provision

Any person, partnership or corporation found to be in violation of any provision of this Ordinance shall be subject to a fine of not less than One Hundred (\$100.00) Dollars. Each additional violation of any provision of this Ordinance shall constitute a separate offense, and will subject to an additional fine. All persons charged with a violation of any provision contained in this section shall be issued a summons by the Department of Police to appear in City Court, and if convicted, shall be assessed the fine stipulated in this section for the particular violation.

Section Seventeen. Severability

If any provision, section, paragraph, sentence or clause of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unconstitutional by any decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance, and the invalid or unconstitutional provision, section, paragraph, sentence or clause is held to be severable. The Mayor and City Council declares that it would have passed this Ordinance, section, provision, paragraph, sentence, or clause hereof, irrespective of the fact that any one or more of the provisions, sections, paragraphs, sentences or clauses hereto be declared invalid or unconstitutional.

Section Eighteen. Liability of the City of East St. Louis

The Police Department shall take every reasonable precaution to assure that alarm notifications received are given appropriate attention and are acted upon with dispatch. Nevertheless, neither the City of East St. Louis nor the Police Department shall be liable for any refusal, failure or neglect to respond to an alarm sounding generated from any alarm system.