

## ORDINANCE NUMBER 26-21

An ordinance to amend Sections 9-2, 9-3, 9-4, 9-5, 9-6, 9-7, 9-8, 9-9, 9-10, 9-11, and 9-12, of the Beatrice City Code regarding fire prevention and protection; to repeal Section 9-13; and to repeal conflicting ordinances or parts of ordinances; and to provide for publication in electronic form and for an effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

**SECTION 1.** That Section 9-2 of the Beatrice City Code be and is hereby added to read as follows:

### **"Sec. 9-2. Definitions.**

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

*Act of God* means an unusual, extraordinary, sudden and unexpected manifestation of the forces of nature, the adverse effects of which cannot be prevented by reasonable human care, skill or foresight. Such events include tornadoes, floods, earthquakes, and other similarly violent conditions.

*Alarm answering service or remote monitoring point* means a business providing among its services the service of receiving on a continuous basis, through trained employees, emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the public safety department communications center.

*Alarm system* means any device used to detect or prevent intrusion, criminal activity or other such emergency situations which, when activated, causes notification to be made indirectly to the police department, or any device or system designed primarily for the purpose of giving an audible or visual signal of an attempted intrusion, criminal activity or other such emergency. The term "alarm system" also means any device, audible or inaudible, which is used to detect smoke, heat or sprinkler activation, which when activated, causes notification to be made indirectly to the fire department.

*Alarm user* means the person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility who purchases, leases, contracts for or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm device.

*Annunciator* means that part of an alarm system which communicates the fact that the system has been triggered.

*Audible annunciator* means an annunciator which gives an alarm by means of a bell, siren, buzzer, or similar sound-producing device mounted at some location which, when activated, is clearly audible at a distance of fifty (50) feet or more outside of any building in which it is mounted.

*Coordinator* means the person designated by the city administrator to issue registrations and enforce the provisions in this article.

*False alarm* means an alarm signal eliciting an urgent response by police or fire personnel when a situation requiring an urgent response does not, in fact, exist, but does not include an alarm signal caused by acts of God or other extraordinary circumstances not reasonably subject to control by the alarm user. The burden of proof that such an alarm was not a false alarm shall be on the alarm user.

*Fire watch* means a condition beyond normal staffing, undertaken when any required fire alarm system is out of service for more than four (4) hours in a twenty-four (24) hour period, requiring the assigning of additional personnel to walk the affected areas. The assigned individuals should be trained in fire prevention and in occupant and fire department notification techniques, and they should understand the particular fire safety situation.

*Knox Box*<sup>®</sup> means a high security key box system, designed to give fire department and emergency services personnel access to locked buildings, elevators and other secured areas.

*Local alarm system* means an alarm system which, when activated, causes an audible and/or visual signaling device to be activated and which is intended to be seen and/or heard by others outside of the protected premises.

*Maintenance* means repair service, including periodic inspections and tests, required to keep the fire alarm system and its component parts in an operative condition at all times, and the replacement of the system or its components when they become undependable or inoperable for any reason.

*Nuisance alarm* means any fire alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or any alarm activated by a cause that cannot be determined.

*Principal* means the person, firm or corporation whose premises are protected by an alarm system. In the event that a building having more than one (1) tenant, such as an apartment building, is protected by a single alarm system, the term "principal" means building owner; only one (1) registration is required per building.

*Registration* means a twelve (12) month period beginning on January 1 of each year and ending December 31 of the same year."

**SECTION 2.** That Section 9-3 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-3. General alarm system requirements.**

- (a) No alarm system shall be installed, used or maintained in violation of any of the requirements of this article.
- (b) All fire alarm systems required by law shall be installed, used and maintained in accordance with all applicable state laws.
- (c) The holder of an alarm system registration shall be responsible for training and retraining all employees, family members and other persons who make regular use of the protected premises and who may, in the normal course of their activities, be in a position to accidentally trigger an alarm. Such training shall include procedures and practices to avoid accidental alarms and steps to take in the event the system is accidentally triggered.
- (d) The holder of the alarm system registration shall, at all times, be responsible for the proper maintenance and repair of the system and for the repair and replacement of any component, method of installment, design feature or like condition which may give rise to a false alarm.
- (e) Alarms, other than fire alarms, shall be programmed so that each audible annunciator will automatically silence within fifteen (15) minutes of being activated, and will not sound again unless a new act or circumstance triggers a sensor.
- (f) No test of an alarm system incorporating an audible annunciator shall be conducted between the hours of 8:00 p.m. of any day and 7:00 a.m. the following day.
- (g) The application of an alarm system registration shall list the name and phone number of three (3) persons, or an alarm answering service, having access to the premises and who may be notified to assist the police or fire department personnel in the event the alarm is activated. The principal shall immediately notify the coordinator of any changes in this information. This information must be updated annually.
- (h) In all buildings, other than single-family residences or duplexes, with an installed fire alarm system, a Knox Box® system must be installed on the exterior of the building adjacent to the main door. This must contain all necessary keys for complete access to the building and fire alarm panel. The Knox Box® can only be purchased with advanced authorization from the fire department.”

**SECTION 3.** That Section 9-4 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-4. Registration required.**

- (a) It shall be unlawful for any person within the zoning jurisdiction of the city or for any person who has the city fire department as a first responder to use or operate any alarm system without current valid registration thereof, not to include single-family residences and duplexes.

- (b) Any person within the zoning jurisdiction of the city or any person who has the city fire department as a first responder installing a new alarm system shall have thirty (30) calendar days from the date of installation to obtain a registration therefor as required in this article, not to include single-family residences and duplexes.
- (c) Any person who is a governmental entity or political unit shall be required to obtain an alarm system registration pursuant to the provisions of this article; however, such governmental entity or political unit is not required to pay the fee required for the registration.”

**SECTION 4.** That Section 9-5 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-5. Application for registration; fee; fee reduction for residential fire alarm systems.**

Each application for an alarm system, registration or renewal shall be made on a form prescribed by the coordinator and shall contain the following information:

- (1) The name, address and telephone number of the principal of the protected premises.
- (2) The type of premises (apartment, office, variety store, etc.) and any business name by which the premises is known.
- (3) The address of the protected premises, including if it is in an apartment complex, commercial or industrial complex and any name by which the complex is commonly known.
- (4) The names, current addresses, and current telephone numbers, including home phone numbers, of three (3) persons, or an alarm answering service.
- (5) The initial application, and subsequent renewals, shall be accompanied by a fee payable to the city, as established by resolution adopted by the city council.
- (6) Alarm system users in single-family residences and duplexes, while being excused from annual alarm registration, will not be excused from compliance with all provisions of this article or from any fees incurred as a result of nuisance alarms.”

**SECTION 5.** That Section 9-6 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-6. Term of registration; transfer; termination; renewal.**

- (a) All alarm system registrations shall be valid for twelve (12) months and issued for the calendar year from January 1 to December 31. No rebates, or reduction of registration fee will be granted for registrations issued that will expire in less than twelve (12) months.

- (b) All alarm system registrations shall automatically terminate upon any change of the principal of protected premises. No registration may be transferred to another principal or protected premises. No refunds will be given on termination of any registration for any reason.
- (c) The renewal registration will not be issued until the applicable registration fee is paid, and a late fee, per month or any part thereof, will be assessed on all registration holders who do not pay the renewal fee prior to expiration of their existing registrations. The late fee shall be in such amount as established by resolution adopted by the city council.”

**SECTION 6.** That Section 9-7 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-7. Verification of registration information.**

Prior to issuing an alarm system registration, and at any time thereafter during the term thereof, the coordinator, or designee, may conduct, or direct an investigation to be conducted as is determined necessary to verify that the information furnished by the application or permittee is correct and that the system is in conformance with the provisions of this article. The coordinator shall maintain all information obtained by such inspection confidentially, unless such inspection reveals noncompliance with existing fire code and/or state statute; the coordinator or designee may contact appropriate authorities as deemed necessary.”

**SECTION 7.** That Section 9-8 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-8. Changes to registration information.**

Within ten (10) calendar days following any change of circumstances, which renders submitted information obsolete pursuant to section 9-5, the registrant shall file an amendment to his or her application setting forth the current information. No additional fee shall be required unless the change has terminated the registration as provided in section 9-6.”

**SECTION 8.** That Section 9-9 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-9. Required information when reporting alarm.**

Any alarm answering service reporting an alarm to the southeast communications 911 center shall give the following information:

- (1) The principal or business name, the address of the protected premises, the type of premises, and the name by which the premises are known, if any. This information shall be repeated a second time at the end of the message.
- (2) The name and telephone number of the principal or agent having ready access to the protected premises; and
- (3) The type of criminal activity or emergency that is indicated.”

**SECTION 9.** That Section 9-10 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-10. False alarm fees.**

- (a) As a condition of any alarm system registration or usage, under the provisions of this article, the principal or person responsible for the false alarm shall pay to the city, within thirty (30) calendar days of invoice, for any false alarm generated annually, a fee in such amount as established by resolution adopted by the city council.
- (b) All fees will be doubled if a representative from the business or residence, generally those identified on the application for registration discussed in section 9-3, does not respond to the property at the request of the police or fire personnel.
- (c) For false and nuisance alarms occurring at a commercial or residential location that does not have a current and valid registration if required:
  - (1) The first false or nuisance alarm will serve as warning and notice that alarm registration is required;
  - (2) All subsequent false and nuisance alarms will carry a penalty fee in such amount as established by resolution adopted by the city council.
- (d) The city may revoke the registration of any alarm system other than a fire alarm system, having more than ten (10) false alarms annually, or when the assessed fees become delinquent. The system must be removed from the protected premises within fifteen (15) calendar days, unless a decision by the coordinator allows for reinstatement of alarm system registration.”

**SECTION 10.** That Section 9-11 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-11. Notices.**

- (a) Notice or billing from the city to any registration holder shall be deemed to have been given or rendered on the date such notice or billing is deposited in the U.S. mail, first class postage, prepaid, addressed to the registration holder at the address shown in the city's registration

records. A notice signed by the person who mailed the notice shall be prima facie evidence of the facts stated therein with respect to such notice.

- (b) Notice to the city or payment under this article shall be effective when received at the appropriate city office.”

**SECTION 11.** That Section 9-12 of the Beatrice City Code be and is hereby added to read as follows:

**“Sec. 9-12. Failure to pay fees.**

- (a) For all non-fire alarm systems, if the alarm user fails to pay the registration fee or false alarm fees, written notice shall be sent to the user by regular mail. If payment is not made within ten (10) calendar days from the date of the mailing, then the user's registration to maintain an alarm shall be revoked by the coordinator. The system must be removed from the protected premises within fifteen (15) calendar days, unless a decision by the coordinator allows for reinstatement of the alarm systems registration.
- (b) In the case of a fire alarm system, for which the registration fees or nuisance alarm fees have not been paid, upon determination of the coordinator, or designee, registration may be revoked and the state fire marshal notified. If such action is taken in a location required by state law to have an operable fire alarm system, the premises may be closed until the alarm is brought into compliance, and/or fees have been paid, or an approved fire watch must be implemented.”

**SECTION 12.** That Section 9-13 of the Beatrice City Code be and is hereby repealed.

**SECTION 13.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 14.** That this ordinance shall be in full force and effect from and after its passage, approval, and publication in electronic form as provided by law.

PASSED AND APPROVED this 6<sup>th</sup> day of July, 2026.

Attest:



Erin Saathoff, MMC, City Clerk



Robert Morgan, Mayor

## Chapter 9 FIRE PREVENTION AND PROTECTION<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 9-1. Applicability.

This article is intended to regulate the activities and responsibilities of persons who purchase, rent or use and persons who own or conduct the business of selling, leasing, renting, installing, maintaining or monitoring alarm systems, devices or services. It is further intended to encourage improvement in reliability of these systems, devices and services and to ensure that police and fire department personnel will not be unduly diverted from responding to actual criminal activity or emergencies as a result of responding to false and nuisance alarms. This article specifically applies to burglar alarms, robbery alarms, hold-up alarms, and panic alarms, and fire alarms, both audible and inaudible. The provisions of this article shall not apply to audible alarms affixed to motor vehicles.

(Code 1987, § 9-1; Ord. No. 09-021, § 1, 5-18-2009)

#### Sec. 9-2. Definitions.

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

*Act of God* means an unusual, extraordinary, sudden and unexpected manifestation of the forces of nature, the adverse effects of which cannot be prevented by reasonable human care, skill or foresight. Such events include tornadoes, floods, earthquakes, and other similarly violent conditions.

*Alarm answering service or remote monitoring point* means a business providing among its services the service of receiving on a continuous basis, through trained employees, emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the public safety department communications center.

*Alarm system* means any device used to detect or prevent intrusion, criminal activity or other such emergency situations which, when activated, causes notification to be made indirectly to the police department, or any device or system designed primarily for the purpose of giving an audible or visual signal of an attempted intrusion, criminal activity or other such emergency. The term "alarm system" also means any device, audible or inaudible, which is used to detect smoke, heat or sprinkler activation, which when activated, causes notification to be made indirectly to the fire department.

*Alarm user* means the person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility who purchases, leases, contracts for or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm device.

*Annunciator* means that part of an alarm system which communicates the fact that the system has been triggered.

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<sup>1</sup>State law reference(s)—Fire department and fire prevention generally, R.R.S. § 16-222; municipal regulation of explosives and combustible materials, R.R.S. § 16-227; fire safety in public buildings, R.R.S. § 16-233; fire department tax, R.R.S. § 18-1201 et seq.; offenses relating to explosives and fireworks, R.R.S. § 28-1213 et seq.; fire companies and firefighters, R.R.S. § 35-101 et seq.

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*Audible annunciator* means an annunciator which gives an alarm by means of a bell, siren, buzzer, or similar sound-producing device mounted at some location which, when activated, is clearly audible at a distance of fifty (50) feet or more outside of any building in which it is mounted.

*Coordinator* means the person designated by the city administrator to issue registrations and enforce the provisions in this article.

*False alarm* means an alarm signal eliciting an urgent response by police or fire personnel when a situation requiring an urgent response does not, in fact, exist, but does not include an alarm signal caused by acts of God or other extraordinary circumstances not reasonably subject to control by the alarm user. The burden of proof that such an alarm was not a false alarm shall be on the alarm user.

*Fire watch* means a condition beyond normal staffing, undertaken when any required fire alarm system is out of service for more than four (4) hours in a twenty-four (24) hour period, requiring the assigning of additional personnel to walk the affected areas. The assigned individuals should be trained in fire prevention and in occupant and fire department notification techniques, and they should understand the particular fire safety situation.

*Knox Box*<sup>®</sup> means a high security key box system, designed to give fire department and emergency services personnel access to locked buildings, elevators and other secured areas.

*Local alarm system* means an alarm system which, when activated, causes an audible and/or visual signaling device to be activated and which is intended to be seen and/or heard by others outside of the protected premises.

*Maintenance* means repair service, including periodic inspections and tests, required to keep the fire alarm system and its component parts in an operative condition at all times, and the replacement of the system or its components when they become undependable or inoperable for any reason.

*Nuisance alarm* means any fire alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or any alarm activated by a cause that cannot be determined.

*Principal* means the person, firm or corporation whose premises are protected by an alarm system. In the event that a building having more than one (1) tenant, such as an apartment building, is protected by a single alarm system, the term "principal" means building owner; only one (1) registration is required per building.

*Registration* means a twelve (12) month period beginning on [August-January 1](#) of each year and ending [July December 31](#) of the same year.

(Code 1987, § 9-2; Ord. No. 09-021, § 1, 5-18-2009)

### **Sec. 9-3. General alarm system requirements.**

- (a) No alarm system shall be installed, used or maintained in violation of any of the requirements of this article.
- (b) All fire alarm systems required by law shall be installed, used and maintained in accordance with all applicable state laws.
- (c) The holder of an alarm system registration shall be responsible for training and retraining all employees, family members and other persons who make regular use of the protected premises and who may, in the normal course of their activities, be in a position to accidentally trigger an alarm. Such training shall include procedures and practices to avoid accidental alarms and steps to take in the event the system is accidentally triggered.
- (d) The holder of the alarm system registration shall, at all times, be responsible for the proper maintenance and repair of the system and for the repair and replacement of any component, method of installment, design feature or like condition which may give rise to a false alarm.

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- (e) Alarms, other than fire alarms, shall be programmed so that each audible annunciator will automatically silence within fifteen (15) minutes of being activated, and will not sound again unless a new act or circumstance triggers a sensor.
  - (f) No test of an alarm system incorporating an audible annunciator shall be conducted between the hours of 8:00 p.m. of any day and 7:00 a.m. the following day.
  - (g) The application of an alarm system registration shall list the name and phone number of three (3) persons, or an alarm answering service, having access to the premises and who may be notified to assist the police or fire department personnel in the event the alarm is activated. The principal shall immediately notify the coordinator of any changes in this information. This information must be updated annually.
  - ~~(h) The application for a fire alarm system registration installed in a commercial, industrial or multifamily dwelling must be accompanied by an inspection report from an inspector licensed by the state certifying the alarm system has been installed and is working properly.~~
  - (ih) In all buildings, other than single-family residences or duplexes, with an installed fire alarm system, a Knox Box® system must be installed on the exterior of the building adjacent to the main door. This must contain all necessary keys for complete access to the building and fire alarm panel. The Knox Box® can only be purchased with advanced authorization from the fire department.

(Code 1987, § 9-3; Ord. No. 09-021, § 1, 5-18-2009)

#### **Sec. 9-4. Registration required.**

- (a) ~~As of August 1, 2009, i~~It shall be unlawful for any person within the zoning jurisdiction of the city or for any person who has the city fire department as a first responder to use or operate any alarm system without current valid registration thereof, not to include single-family residences and duplexes.
- (b) Any person within the zoning jurisdiction of the city or any person who has the city fire department as a first responder installing a new alarm system ~~after the effective date of the ordinance from which this article is derived~~ shall have thirty (30) calendar days from the date of installation to obtain a registration therefor as required in this article, not to include single-family residences and duplexes.
- (c) Any person who is a governmental entity or political unit shall be required to obtain an alarm system ~~permit registration~~ pursuant to the provisions of this article; however, such governmental entity or political unit is not required to pay the fee required for the ~~issuance of the permit registration~~.

(Code 1987, § 9-4; Ord. No. 09-021, § 1, 5-18-2009)

#### **Sec. 9-5. Application for registration; fee; fee reduction for residential fire alarm systems.**

Each application for an alarm system, registration or renewal shall be made on a form prescribed by the coordinator and shall contain the following information:

- (1) The name, address and telephone number of the principal of the protected premises.
- (2) The type of premises (apartment, office, variety store, etc.) and any business name by which the premises is known.
- (3) The address of the protected premises, including if it is in an apartment complex, commercial or industrial complex and any name by which the complex is commonly known.
- (4) The names, current addresses, and current telephone numbers, including home phone numbers, of three (3) persons, or an alarm answering service.

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- (5) The initial application, and all subsequent renewals, shall be accompanied by a fee payable to the city. The applicable fee shall be in such amount as set from time to time by the mayor and city council, and a current record of such amount shall be maintained by the city clerk, as established by resolution adopted by the city council.
- ~~(6) Renewal applications shall be completed annually and will be accompanied by a fee payable to the city. The applicable fee shall be in such amount as set from time to time by the mayor and city council, and a current record of such amount shall be maintained by the city clerk.~~
- (7) Alarm system users in single-family residences and duplexes, while being excused from annual alarm registration, will not be excused from compliance with all provisions of this article or from any fees incurred as a result of nuisance alarms.

(Code 1987, § 9-5; Ord. No. 09-021, § 1, 5-18-2009)

#### **Sec. 9-6. Issuance of registration.**

~~Upon receipt of the completed registration application and fee, the coordinator shall, if it appears that the proposed system will comply with the provisions of this article, issue to the applicant a registration bearing an identifying number, and setting forth the expiration date. The city shall not, by the issuance of any alarm system registration, be obligated to respond or accord any priority to an alarm from such system.~~

~~(Code 1987, § 9-6; Ord. No. 09-021, § 1, 5-18-2009)~~

#### **Sec. 9-76. Term of registration; transfer; termination; renewal.**

- (a) All alarm system registrations shall be valid for twelve (12) months and issued for the calendar year from August-January 1 to July-December 31 of the given year. No rebates, or reduction of registration fee will be granted for registrations issued that will expire in less than twelve (12) months.
- (b) All alarm system registrations shall automatically terminate upon any change of the principal of protected premises. No registration may be transferred to another principal or protected premises. No refunds will be given on termination of any registration for any reason.
- (c) The renewal registration will not be issued until the applicable registration fee is paid, and a late charge fee, per month or any part thereof, will be assessed on all registration holders who do not pay the renewal fee prior to expiration of their existing registrations. The late charge fee shall be in such amount as established by resolution adopted by the city council, as set from time to time by the mayor and city council, and a current record of such amount shall be maintained by the city clerk. The renewal application shall contain the principal's signed statement that there have been no changes in the principal or protected premises.

(Code 1987, § 9-7; Ord. No. 09-021, § 1, 5-18-2009)

#### **Sec. 9-87. Verification of registration information.**

Prior to issuing an alarm system registration, and at any time thereafter during the term thereof, the coordinator, or designee, may conduct, or direct an investigation to be conducted as is determined necessary to verify that the information furnished by the application or permittee is correct and that the system is in conformance with the provisions of this article. The coordinator shall maintain all information obtained by such inspection confidentially, unless such inspection reveals noncompliance with existing fire code and/or state statute; the coordinator or designee may contact appropriate authorities as deemed necessary.

(Code 1987, § 9-8; Ord. No. 09-021, § 1, 5-18-2009)

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### Sec. 9-~~98~~. Changes to registration information.

Within ten (10) calendar days following any change of circumstances, which renders ~~obsolete any of the information~~, submitted ~~information obsolete~~ pursuant to section 9-5, the registrant shall file an amendment to his or her application setting forth the currently ~~accurate~~ information. No additional fee shall be required unless the change has terminated the registration as provided in section 9-~~76~~.

(Code 1987, § 9-9; Ord. No. 09-021, § 1, 5-18-2009)

### Sec. 9-~~109~~. Required information when reporting an alarm.

Any alarm answering service reporting an alarm to the southeast communications 911 center shall give the following information:

- (1) The principal or business name, the address of the protected premises, the type of premises, and the name by which the premises are known, if any. This information shall be repeated a second time at the end of the message.
- (2) The name and telephone number of the principal or agent having ready access to the protected premises; and
- (3) The type of criminal activity or emergency that is indicated.

(Code 1987, § 9-10; Ord. No. 09-021, § 1, 5-18-2009)

### Sec. 9-~~1110~~. False alarm fees.

- (a) As a condition of any alarm system registration or usage, under the provisions of this article, the principal or ~~the person~~ responsible for the false alarm shall pay to the city, within thirty (30) calendar days of invoice, for any false alarm generated ~~(from August 1 through July 31 of each year)~~ annually, a fee ~~in such amount as established by resolution adopted by the city council which shall be in such amount as set from time to time by the mayor and city council, and a current record of such amount shall be maintained by the city clerk.~~
- (b) All fees will be doubled if a representative from the business or residence, generally those identified on the application for registration discussed in section 9-3, does not respond to the property at the request of the police or fire personnel.
- (c) For false and nuisance alarms occurring at a commercial or residential location that does not have a current and valid registration if required:
  - (1) The first false or nuisance alarm will serve as warning and notice that alarm registration is required;
  - (2) All subsequent false and nuisance alarms will carry a penalty fee ~~which shall be in such amount as set from time to time by the mayor and city council, and a current record of such amount shall be maintained by the city clerk~~ in such amount as established by resolution adopted by the city council.
- (d) The city may revoke the registration of any alarm system other than a fire alarm system, having more than ten (10) false alarms annually, or when the assessed fees become delinquent. The system must be removed from the protected premises within fifteen (15) calendar days, unless a decision by the coordinator allows for reinstatement of alarm system registration.

(Code 1987, § 9-11; Ord. No. 09-021, § 1, 5-18-2009)

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**Sec. 9-~~12~~11. Notices.**

- (a) Notice or billing from the city to any registration holder shall be deemed to have been given or rendered on the date such notice or billing is deposited in the U.S. mail, first class postage, prepaid, addressed to the registration holder at the address shown in the city's registration records. A certificate signed by the person who mailed the notice shall be prima facie evidence of the facts ~~state-stated~~ therein with respect to such notice.
- (b) Notice to the city or payment under this article shall be effective when received at the appropriate city office.

(Code 1987, § 9-12; Ord. No. 09-021, § 1, 5-18-2009)

**Sec. 9-~~13~~12. Failure to pay fees.**

- (a) For all non-fire alarm systems, if the alarm user fails to pay the registration fee or false alarm fees, written notice shall be sent to the user by ~~certified-regular~~ mail. If payment is not made within ten (10) calendar days from the date of the mailing, then the user's ~~permit-registration~~ to maintain an alarm shall be revoked by the coordinator. The system must be removed from the protected premises within fifteen (15) calendar days, unless a decision by the coordinator allows for reinstatement of the alarm systems registration.
- (b) In the case of a fire alarm system, for which the registration fees or nuisance alarm fees have not been paid, upon determination of the coordinator, or designee, registration may be revoked and the state fire marshal notified. If such action is taken in a location required by state law to have an operable fire alarm system, the premises may be closed until the alarm is brought into compliance, and/or fees have been paid, or an approved fire watch must be implemented.

(Code 1987, § 9-13; Ord. No. 09-021, § 1, 5-18-2009)

**Secs. 9-14—9-44. Reserved.**