

## **Ordinance 21-026**

### **An Ordinance Establishing Procedures for False Security Alarms in the City of Brookings, South Dakota.**

Be It Ordained by the Governing Body of the City of Brookings, South Dakota, as follows:

#### **I.**

##### **Sec. 22-346. Purpose.**

- A. The purpose of this ordinance is to encourage security alarm users to properly use security alarm systems in order to reduce or eliminate false alarms.
- B. This ordinance governs alarm systems intended to summon a law enforcement response, and establishes penalties for violations.

##### **Sec. 22-347. Administration.**

The responsibility for administration of this chapter is vested with the chief of police or their designee.

##### **Sec. 22-348. Definitions.**

The following words shall have the following meanings within this ordinance unless otherwise specifically provided:

- A. Act of God. An unusual, extraordinary, sudden and unexpected manifestation of the forces of nature, which cannot be prevented by reasonable human care, skill or foresight.
- B. False Alarm. Any alarm signal or notification which elicits a response from any duly authorized law enforcement personnel when the response is deemed to have been made unnecessarily. A false alarm is one which results in a response of a duly authorized law enforcement personnel when such response determines that:
  - 1. No criminal activity, attempted criminal activity or any emergency exists or existed to justify any alarm or alarm signal;
  - 2. The alarm or alarm signal was not caused by the act of a person over whom the user or alarm agent had no control; and
  - 3. The alarm or alarm signal was not caused by an act of God.

##### **Sec. 22-349. Cancellation of alarm.**

Alarm users may cancel a police response prior to an officer arriving and avoid a penalty by calling the City's dispatch office and advising that the alarm is false prior to the arrival of a police officer.

##### **Sec. 22-350. Fees for false alarms.**

Whenever any duly authorized law enforcement personnel have responded to two (2) false alarms within any period of 12 calendar months to the same premises in response to any security alarm as provided for herein, the owner or occupant of the real

property on which the alarm system is installed shall pay a penalty fee to the city for each false alarm after the first false alarm in any 12-month period. The fee shall be established by Resolution, which shall be partial compensation for the costs incurred by the Police Department in responding to the false alarm. Any invoice where it is asserted the false alarm fee is incorrect may be appealed first to the Police Chief, then to the City Manager.

The Police Chief may waive charges for any response made within 14 days after initial installation of a security alarm, or when circumstances justify waiver or partial waiver of fees.

II.

Any or all ordinances in conflict herewith are hereby repealed.

First Reading: July 27, 2021  
Second Reading: August 10, 2021  
Published: August 13, 2021

CITY OF BROOKINGS, SD

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Oepke G. Niemeyer, Mayor

ATTEST:

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Bonnie Foster, City Clerk