



VILLAGE OF LINCOLNSHIRE

AGENDA COMMITTEE OF THE WHOLE Village Hall – Board Room Monday, May 11, 2020 Following Regular Village Board

RESIDENT REMOTE PARTICIPATION OPTIONS

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- **Public Comment**

- Call 847-913-2312 to leave a voicemail message with your comment by 5:00 p.m. on Monday, May 11, 2020.
- Email your comment to VOLPublicComment@lincolnshireil.gov by 5:00 p.m. on Monday, May 11, 2020.
- Comments received before the meeting will be read concurrent with respective agenda item. Comments may be sent to the VOLPublicComment@lincolnshireil.gov email address during the meeting, but it is not guaranteed they will be read until the end of the meeting.

CALL TO ORDER

1.0 ROLL CALL

2.0 ITEMS OF GENERAL BUSINESS

2.1 Planning, Zoning and Land Use

2.2 Finance and Administration

- 2.21 Update and Continued Discussion of Lincolnshire Financial Sustainability Plan (Village of Lincolnshire)

2.3 Public Works

2.4 Public Safety

- 2.41 Consideration of an Ordinance Amending Title 9 (Police Regulations), Chapter 1 (Burglar & Holdup Alarm User Registration; False Alarms) of the Lincolnshire Village Code (Village of Lincolnshire)
- 2.42 Consideration of an Ordinance Amending Title 1 (Administration), Chapter 17 (Comprehensive Fine/Penalty Schedule), Section 10 (Police Regulations) of the Lincolnshire Village Code (Village of Lincolnshire)

2.5 Parks and Recreation

2.6 Judiciary and Personnel

- 3.0 **UNFINISHED BUSINESS**
- 4.0 **NEW BUSINESS**
- 5.0 **EXECUTIVE SESSION**
- 6.0 **ADJOURNMENT**

Reasonable accommodations / auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings of the Board. Please contact the Village Administrative Office (847-883-8600) 48 hours in advance if you need special accommodations to attend. The Committee of the Whole will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Trustees to do so. Citizens wishing to address the Board on agenda items may speak when the agenda item is open, prior to Board discussion.



Reviewing Body:	Committee of the Whole
Meeting Date:	May 11, 2020
Subject:	Consideration of Village Code Updates <ol style="list-style-type: none">1) Ordinance Amending Title 9 (Police Regulations), Chapter 1 (Burglar & Holdup Alarm Users Registration; False Alarms) of the Lincolnshire Village Code2) Ordinance Amending Title 1 (Administration), Chapter 17 (Comprehensive Fine/Penalty Schedule), Section 10 (Police Regulations) of the Lincolnshire Village Code
Action Requested:	Consideration and discussion of proposed amendments to the Burglar and Holdup Alarm/False Alarm and Comprehensive Fine/Penalty Schedule Sections of the Village Code
Prepared By:	Joseph Leonas – Chief of Police
Staff Recommendation:	Consideration, discussion, and approval of proposed changes
Tentative Meeting Schedule:	Regular Village Board – May 26, 2020
Reports and Documents Attached:	<ol style="list-style-type: none">1) Ordinance Amending Title 9 (Police Regulations), Chapter 1 (Burglar & Holdup Alarm Users Registration; False Alarms) of the Lincolnshire Village Code2) Ordinance Amending Title 1 (Administration), Chapter 17 (Comprehensive Fine/Penalty Schedule), Section 10 (Police Regulations) of the Lincolnshire Village Code3) Clean copy of the Lincolnshire Village Code: Title 9, Chapter 1 with changes incorporated

Request Summary

Staff completed a review of the Village's ordinance pertaining to the registration of burglar and hold-up alarms, (Title 9, Chapter 1), as well as the fines for false alarms, (Title 1, Chapter 17, Section 10). Staff recommends increasing the fines for false alarms given the increased personnel costs to respond to false alarms. Staff reviewed the need for alarm registration and found the billing information for alarm holders can be relayed to the Police Department by the alarm companies, negating the need for residents and businesses to register their alarm with the police department. Staff further recommends: adding an appeal process for the alarm-holder; removing the section that allows for the placement of a lien on the alarm-holder's property for lack of payment; and removing provisions for "alarm boards" which no longer exist.



The proposed fee increases are as listed in the table below.

Current fine structure for each false alarm	Proposed fine structure for each false alarm
1 - 3 = no charge	1 - 3 = no charge (same as current)
4 – 6 = \$25 per false alarm	4 = \$50
7 – 9 = \$50 per false alarm	5 = \$75
10 – 12 = \$75 per false alarm	6 = \$100
13 or more = \$100 per false alarm	7 = \$125
	8 = \$150
	9 = \$175
	10 = \$200
	11 or more = \$350 per false alarm

Budget Impact

The police department responded to 369 false alarms in 2019, 428 in 2018, and 509 in 2017. Based on the previous years’ experience, staff anticipates these proposed changes to be revenue neutral.

Staff Recommendation/Next Steps

If accepted by the Village Board, the changes to the ordinance will be placed on the consent agenda of the Regular Village Board Meeting on May 26, 2020 for final approval.

ORDINANCE NO. 20-

AN ORDINANCE AMENDING TITLE 9 (Police Regulations), CHAPTER 1 (Burglar and Hold Up Alarm Users Registration; False Alarms), OF THE LINCOLNSHIRE VILLAGE CODE

WHEREAS, the Village of Lincolnshire is a home rule municipality authorized to act in accordance with the Constitution of the State of Illinois and powers granted to it thereunder and by statute; and

WHEREAS, the Village Staff recently undertook a review of the Lincolnshire Municipal Code for those purposes, and the Village Staff has recommended to the Mayor and Board of Trustees of the Village of Lincolnshire that it adopt revised regulations governing alarm registration and responses to false alarms within the Village; and

WHEREAS, the Mayor and Board of Trustees have reviewed and considered the recommendations of the Village Staff and have considered all the facts and circumstances related to the proposed Municipal Code amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS, IN THE EXERCISE OF THEIR HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The foregoing recitals are incorporated into this Ordinance as findings and intent of the Mayor and Board of Trustees.

SECTION TWO: Sections of Title 9, Chapter 1 of the Village Code of the Village of Lincolnshire, under the title "Burglar and Hold Up Alarm Users Registration; False Alarms", shall be revised as follows in Appendix A [added text **bolded and underlined**; deleted text ~~struck through~~]:

SECTION THREE: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form.

ADOPTED this 26 of May, 2020 by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:
NAYS:
ABSTAIN:
ABSENT:

APPROVED this 26 of May, 2020.

Elizabeth J. Brandt
Mayor

ATTEST:

Bradly J. Burke
Deputy Village Clerk

CHAPTER 1

**BURGLAR AND HOLDUP ~~ALARM USERS REGISTRATION;~~
FALSE ALARMS**

SECTION:

- ~~9-1-1: Purpose~~
- ~~9-1-21: Definitions~~
- ~~9-1-3: Automatic Dialing Service; Interconnection to Primary Trunklines~~
- ~~9-1-4: Testing Equipment~~
- ~~9-1-5: Notice of Disruption in Service~~
- ~~9-1-6: Alarm User Registration~~
- ~~9-1-72: False Alarms Prohibited~~
- ~~9-1-3: False Alarm Charges~~
- ~~9-1-8: Lien Created~~
- ~~9-1-4: False Alarm Appeal Process~~
- ~~9-1-9: Liability of Village Limited~~

~~9-1-1: PURPOSE:~~

~~The purpose of this Article is to provide minimum standards and regulations applicable to burglar and holdup alarm systems and alarm users as defined in this Article.~~

~~9-1-21: DEFINITIONS:~~

~~For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.~~

ALARM SYSTEM

An assembly of equipment and ~~devices software (or a single device such as a solid state unit which plugs directly into a 110 volt AC line)~~ arranged to signal the presence of a hazard requiring urgent attention and ~~to which police response are expected to respond.~~ In this ~~Article Chapter~~ the term "alarm system" shall include the terms "automatic holdup alarm systems", "burglar alarm systems", "holdup alarm systems" and "manual holdup alarm systems". Fire alarm systems and alarm systems which monitor temperature, humidity, or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises are specifically excluded from the provisions of this Article.

ALARM USER

Any ~~person(s), firm, partnership, corporation, association, organization, company, or other entity in custody, possession or control of a protected premise where an alarm system is located. on whose premises an alarm system is maintained within the Village except for alarm systems on motor vehicles or proprietary systems. If however, an alarm system on a motor vehicle is connected with an alarm system at a premises (other than a proprietary system), the person using such system is an alarm user. Also excluded from this definition and from the coverage of this Article are persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located of an attempted unauthorized intrusion or holdup attempt. If such a system, however, employs an audible signal emitting sounds or flashing light or beacon designed to signal persons outside the premises, such systems shall be within the definition of alarm systems and shall be subject to this Article.~~

~~ANNUNCIATOR~~

~~The instrumentation of an alarm console at the receiving~~

Appendix A

ANSWERING SERVICE	terminal of a signal line which, through both visual and audible signals, shows when an alarm device at a particular location has been activated or it may also indicate line trouble. A telephone service 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 communication center of the Police Department.
AUTOMATIC DIALING DEVICE	An alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.
CENTRAL STATION	An office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits, and where guards are maintained continuously to investigate signals.
CENTRAL STATION EQUIPMENT	The signal receiving, recording or retransmitting equipment installed in the central station.
CENTRAL STATION SYSTEM	A system in which the operation of electrical protection circuits and devices are signaled automatically to, recorded in, maintained and supervised from a central station having trained operators and guards in attendance at all times.
DIRECT CONNECT	An alarm system which has the capability of transmitting system signals to and receiving them at an agency maintained by the local government; for example, a police communications center.
DIRECT LINE	A telephone line leading directly from a central station to the communications center of the Police Department that is for use only to report emergency signals on a person-to-person basis.
FALSE ALARM	The activation of an alarm system through mechanical, <u>electrical or software</u> failure, malfunction, improper installation or the negligence of the owner or lessee of an

Appendix A

alarm ~~system-user~~ or ~~of his/its~~ employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes or other violent conditions beyond the reasonable control of the alarm user.

~~HOLDUP ALARM SYSTEM~~

~~An alarm system signaling a robbery or attempted robbery suffering a current or imminent~~

~~LOCAL ALARM SYSTEM~~

~~A signaling system which when activated causes an audible and/or visual signaling device to be activated in or on the premises within which the system is installed.~~

~~MANUAL HOLDUP ALARM SYSTEM~~

~~An alarm system in which the signal transmission is initiated by the direct action of the person attacked or by an observer of the attack.~~

Appendix A

PERSON	Any person, firm, partnership, association, corporation, company or organization of any kind.
POLICE CHIEF	The Chief of the Police Department of the Village of Lincolnshire, or his designated representative.
POLICE or POLICE DEPARTMENT	The publicly supported Police Department of the Village of Lincolnshire or any authorized agent thereof.
PRIMARY TRUNKLINE	A telephone line leading directly into the communication center of the Police Department that is for the purpose of handling emergency calls on a person to person basis, and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory issued by the telephone company and covering the service area within the Police Department's jurisdiction.
PROPRIETARY SYSTEM	An alarm system sounding and/or recording alarm and supervisory signals at a control center located within the protected premises, the control center being under the supervision of the proprietor of the protected premises. If a proprietary system includes a signal line connected directly or by means of an automatic dialing device to a police communication center, a central station, modified central station or an answering service, it hereby becomes an "alarm system" as defined in this Article.
SUBSCRIBER	A person who buys and/or leases or otherwise obtains an alarm signaling system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm device.
TELEPHONE COMPANY	The utility that furnishes telephone services to the Village.
VILLAGE	The Village of Lincolnshire, Illinois.

~~**9-1-3: AUTOMATIC DIALING SERVICE; INTERCONNECTION TO PRIMARY TRUNKLINES;**~~

Appendix A

~~No automatic dialing device shall be interconnected to a primary trunkline and all automatic dialing devices interconnected to a primary trunkline shall be disconnected therefrom.~~

~~9-1-4: TESTING EQUIPMENT:~~

~~No alarm system designed to transmit emergency messages directly to the Police Department shall be repaired, serviced, tested or demonstrated without first obtaining permission from the Police Chief. Permission is not required to test or demonstrate alarm devices not transmitting emergency messages directly to the Police Department unless the messages are to be relayed to the Police Department.~~

~~9-1-5: NOTICE OF DISRUPTION IN SERVICE:~~

~~When an alarm business' service to its subscribers is disrupted for any reason by the alarm business, or the alarm business becomes aware of such disruption, it shall promptly notify its subscriber by telephone that protection is no longer being provided. If however, the alarm business has written instructions from its subscriber not to make such notifications by telephone during certain hours, the alarm business may comply with such instructions.~~

~~9-1-6: ALARM USER REGISTRATION:~~

~~A. Registration: Every alarm user shall register each alarm system he operates within this Village with the Police Chief.~~

~~B. Alarm User Registration Application: The alarm user shall state on the application form his name, the address of the residence or business, or businesses in or upon which the alarm system has been or will be installed, his telephone number, the type of alarm system (local, direct connect, central station, etc.), the individual or alarm company selling, installing, monitoring, inspecting, responding to and/or maintaining the alarm system, and the name and telephone number of at least one person (in the case of a corporate alarm user applicant, at least two [2] persons) who can be reached at any time, day or night, and who is authorized to respond to an alarm signal and who can open the premises in which the system is installed.~~

Appendix A

- ~~C. The information contained in an alarm user registration application required by this Section and other information received by the Police Chief through correspondence or communications with an alarm user shall be securely maintained and restricted to inspection only by the Police Chief or certain officers or Village employees specifically assigned the responsibility of handling and processing alarm user registrations in the course of official duties. The Police Chief or any employee of the Village shall not reveal the information contained in an alarm user registration application or in correspondence or communications with an alarm user to any other person for any purpose not related to this Article or official law enforcement matters and without the express written consent of the alarm user supplying such information.~~
- ~~D. Any alarm system user who operates an alarm system without first registering as required by this Section, and who fails to disconnect his alarm system, shall be in violation of this Article.~~

9-1-72: FALSE ALARMS PROHIBITED:

~~More than three (3) false alarms in any calendar year from any alarm system shall subject the alarm user as prescribed in the Comprehensive Fine/Penalty Schedule set forth in Chapter 17 of Title 1 of this Code.~~

- ~~A. It shall be unlawful for any person to knowingly activate an alarm system for the purpose of summoning the Police Department if such person knows or suspects there is no actual or prospective imminent emergency.~~
- ~~B. It shall be unlawful for any person to calling the number "911" for the purpose of making a false alarm and reporting false information which could result in an emergency response from police personnel.~~

9-1-3: FALSE ALARMS CHARGES

~~If members from the Lincolnshire Police Department respond to more than three (3) false alarms in any calendar year from any alarm system, then the alarm user shall be subject to the fee/penalty listed in the Comprehensive Fine/Penalty Schedule set forth Title 1, Chapter 17 of this Code, for each false alarm response after then third.~~

~~9-1-8: LIEN CREATED:~~

Appendix A

~~In the event any owner of an alarm system fails to pay the false alarm charge penalty provided for in Section 9-1A-7 above within thirty (30) days after written notice from the Village, a lien is declared against the real estate upon which said alarm system is located in the amount of the chargepenaltie(s) due. The Village Clerk may record a lien for the nonpayment of the charge(s) due. The lien may be enforced by proceedings to foreclose, as in cases of mortgages or mechanics liens. Suit to foreclose this lien must be commenced within three (3) years after the date of the recording of the lien.~~

9-1-4: FALSE ALARM APPEAL PROCESS

A. Alarm users may contest the assessment of fee penalty by filing a "False Alarm Appeal Request Form." All requests must be submitted to the Police Department within 15 days after the date of invoice notification. The penalty will be refunded if the appeal is granted. When considering whether to file an appeal of assessment, the Chief of Police will adjust the count of false alarms based on the following circumstances:

1. Evidence the false alarm was caused by a natural disaster or any cause beyond the reasonable control of the alarm user;
2. Evidence the false alarm was caused by action of the telephone company;
3. Evidence the false alarm was caused by a power outage;
4. Evidence an officer response was not completed; and/or
5. In determining the number of false alarms, multiple alarms occurring in a twenty-four (24) hour period and resulting from the same cause may, at the Chief of Police's discretion, be counted as one false alarm, to allow the alarm user time to take corrective action unless the false alarms are directly caused by the alarm user.

B. Appeals will not be granted for a false alarm that is the result of the following circumstances:

1. Faulty, defective, or malfunctioning equipment supplied by the alarm company;
2. Improper installation or maintenance by the alarm company;

3. Improper monitoring by the alarm company;
4. Alarm activations that occur while alarm technicians are repairing, servicing, or testing the equipment if the alarm user fails to comply with Section 9-1-2;
5. An occurrence where no evidence of criminal activity is present;
6. Mistakes made by private contractors cleaning personnel/crews, realtors, etc.;
7. Items within the home or business that move and cause motion detectors to activate (i.e. curtains, signs, balloons, pets, etc.);
8. Improper maintenance of the alarm system by the alarm owner/user (including neglect of backup power/battery supplies);
9. Glass break detectors that activate due to noises or sounds, other than actual glass breakage;
10. Door and/or windows that become loose and cause a break in the contacts that activate the alarm;
11. Caretakers who watch homes or businesses when owners are away;
12. Pets, rodents, wildlife.

~~9-1-9: LIABILITY OF VILLAGE LIMITED:~~

~~The Village shall take every reasonable precaution to assure that alarm signals and prerecorded alarm messages received by the Village through the Deerfield Communication Center are given appropriate attention and are acted upon with dispatch. Nevertheless, the Village shall not be liable for any defects in operation of automatic protection devices and signal line systems, for any failure or neglect to respond appropriately upon receipt of an alarm from such source, nor for the failure or neglect to any person with a license as described herein or with a franchise, in connection with the installation and operation of equipment, the transmission of alarm signals and prerecorded alarm messages, or the relaying~~

~~of such signals and messages.~~

ORDINANCE NO. 20-

**AN ORDINANCE AMENDING TITLE 1 (Administration) CHAPTER 17
(Comprehensive Fine/Penalty Schedule) SECTION 10 (Police Regulations)
OF THE LINCOLNSHIRE VILLAGE CODE RELATED TO THE
ESTABLISHMENT OF FINES AND PENALTIES
(Alarms)**

WHEREAS, the Village of Lincolnshire is a home rule municipality authorized to act in accordance with the Constitution of the State of Illinois and powers granted to it thereunder and by statute; and

WHEREAS, fines and penalties are established at an amount determined by the Village; and

WHEREAS, Village staff recommended to the Mayor and Board of Trustees of the Village of Lincolnshire that it revise the fines and penalties related to false alarms; and

WHEREAS, the Mayor and Board of Trustees, as part of the annual budget process, have reviewed and considered the recommendations of Village staff and have considered all the facts and circumstances related to the proposed Village Code amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS, ACTING IN THE EXERCISE OF THEIR HOME RULE POWERS:

SECTION ONE: The foregoing recitals are incorporated into this Ordinance as findings of the Mayor and Board of Trustees.

SECTION TWO: Section 1-17 of the Village Code of the Village of Lincolnshire, under the title "Comprehensive Fine/Penalty Schedule", shall be revised as reflected below [added text **bolded and underlined**; deleted text ~~struck through~~]:

1-17-10: POLICE REGULATIONS (TITLE 9)			
POLICE REGULATIONS	MINIMUM FINE	MAXIMUM FINE	CODE SECTION
BURGLAR & HOLDUP ALARMS Any person or business who violates any provisions of Chapter 1 of Title 9	\$25.00 per violation per day	\$750.00 per violation per day	9-1-3; 9-1-4; 9-1-5; & 9-1-6
BURGLAR & HOLDUP ALARMS/ FALSE ALARMS Any person or business who violates the provisions of this Section <u>Chapter 1 of Title 9</u>	Per Alarm in a calendar year: 1-3: No charge 4-6 — \$25.00 ea. 7-9 — \$50.00 ea. 10-12 — \$75.00 ea. 13+ — \$100.00 ea. <u>4: \$50</u> <u>5: \$75</u>	\$100.00 <u>\$350.00</u> per alarm for 11+3 or more alarms in a calendar year	9-1-7 <u>4</u>

	6: \$100		
	7: \$125		
	8: \$150		
	9: \$175		
	10: \$200		
	11+: \$350		

SECTION THREE: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form.

ADOPTED this 26 of May, 2020 by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

- AYES:
- NAYS:
- ABSTAIN:
- ABSENT:

APPROVED this 26 of May, 2020.

Elizabeth J. Brandt
Mayor

ATTEST:

Bradly J. Burke
Deputy Village Clerk

CHAPTER 1

BURGLAR AND HOLDUP FALSE ALARMS

SECTION:

- 9-1-1: Definitions**
- 9-1-2: False Alarms Prohibited**
- 9-1-3: False Alarm Charges**
- 9-1-4: False Alarm Appeal Process**

9-1-1: DEFINITIONS:

ALARM SYSTEM An assembly of equipment and software arranged to signal the presence of a hazard requiring urgent attention and police response. In this Chapter the term "alarm system" shall include the terms "automatic holdup alarm systems", "burglar alarm systems", "holdup alarm systems" and "manual holdup alarm systems". Fire alarm systems and alarm systems which monitor temperature, humidity, or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises are specifically excluded from the provisions of this Article.

ALARM USER Any person in custody, possession or control of a protected premise where an alarm system is located.

FALSE ALARM The activation of an alarm system through mechanical, electrical or software failure, malfunction, improper installation or the negligence of the alarm user or its employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes or other violent conditions beyond the reasonable control of the alarm user.

PERSON Any person, firm, partnership, association, corporation, company or organization of any kind.

9-1-2: FALSE ALARMS PROHIBITED

- A. It shall be unlawful for any person to knowingly activate an alarm system for the purpose of summoning the Police Department if such person knows or suspects there is no actual or imminent emergency.
- B. It shall be unlawful for any person to call the number "911" for the purpose of making a false alarm and reporting false information which could result in an emergency response from police personnel.

9-1-3: FALSE ALARMS CHARGES

If members from the Lincolnshire Police Department respond to more than three (3) false alarms in any calendar year from any alarm system, then the alarm user shall be subject to the penalty listed in the Comprehensive Fine/Penalty Schedule set forth Title 1, Chapter 17 of this Code, for each false alarm response after the third.

9-1-4: FALSE ALARM APPEAL PROCESS

A. Alarm users may contest the assessment of penalty by filing a “False Alarm Appeal Request Form.” All requests must be submitted to the Police Department within 15 days after the date of invoice notification. The penalty will be refunded if the appeal is granted. When considering an appeal, the Chief of Police will adjust the count of false alarms based on the following circumstances:

1. Evidence the false alarm was caused by a natural disaster or any cause beyond the reasonable control of the alarm user;
2. Evidence the false alarm was caused by action of the telephone company;
3. Evidence the false alarm was caused by a power outage;
4. Evidence an officer response was not completed; and/or
5. In determining the number of false alarms, multiple alarms occurring in a twenty-four (24) hour period and resulting from the same cause may, at the Chief of Police’s discretion, be counted as one false alarm, to allow the alarm user time to take corrective action unless the false alarms are directly caused by the alarm user.

B. Appeals will not be granted for a false alarm that is the result of the following circumstances:

1. Faulty, defective, or malfunctioning equipment supplied by the alarm company;
2. Improper installation or maintenance by the alarm company;
3. Improper monitoring by the alarm company;
4. Alarm activations that occur while alarm technicians are repairing, servicing, or testing the equipment if the alarm user fails to comply with Section 9-1-2;
5. An occurrence where no evidence of criminal activity is present;

6. Mistakes made by private contractors cleaning personnel/crews, realtors, etc.;
7. Items within the home or business that move and cause motion detectors to activate (i.e. curtains, signs, balloons, pets, etc.);
8. Improper maintenance of the alarm system by the alarm user (including neglect of backup power/battery supplies);
9. Glass break detectors that activate due to noises or sounds, other than actual glass breakage;
10. Door and/or windows that become loose and cause a break in the contacts that activate the alarm;
11. Caretakers who watch homes or businesses when owners are away;
12. Pets, rodents, wildlife.