

CHAPTER 39

REGULATION OF ALARM SYSTEMS

39.01	Intent	39.05	False Alarms: Enforcement and Penalties
39.02	Jurisdiction	39.06	Limitation of County Liability
39.03	Definitions	39.07	Severability Clause
39.04	Testing/Operational Requirements		

39.01 Intent. This chapter provides regulations applicable to alarm systems, alarm businesses and alarm users. This chapter will benefit the citizens of Sauk County by providing for useful and usable systems of private security which balances quick response by law enforcement while minimizing time spent on false alarms or malfunctions of private security systems.

39.02 Jurisdiction. This chapter shall apply in all unincorporated and incorporated areas of Sauk County where the Sauk County Sheriff's Department is the primary law enforcement agency. This chapter shall not apply to incorporated municipalities which have their own primary law enforcement agency.

39.03 Definitions. For the purpose of this chapter, the following terms, phrases and words have the meanings given as follows:

(1) **ALARM BUSINESS.** Any business in which the owner(s) or employee(s) engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, or servicing alarm systems.

(2) **ALARM SYSTEM.** Equipment, devices, or a single device used to signal an unauthorized entry on the premises, an unlawful act or any emergency situation requiring immediate attention and to which the Sheriff's Department is expected to respond. Excluded from this definition and from the coverage of this chapter are alarm systems used to alert or signal persons exclusively within the premises in which the alarm system is located.

(3) **FALSE ALARM.** The activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or of his employees, agents, invitee or other

undetermined cause that alerts the Sheriff's Department to immediately respond to a situation when an emergency does not exist. False alarm does not include alarms caused by tornadoes or other violent climatic conditions.

(4) **PROPERTY OWNER.** The owner, owners or lessees of property where an alarm system is installed.

(5) **SUBSCRIBER.** A person who buys or leases or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm system.

39.04 Testing/Operational Requirements. (1) No alarm business or alarm system designed to transmit emergency messages to the Sauk County Sheriff's Department shall be tested or demonstrated without prior notification to and approval of the Sheriff's Department dispatcher.

(2) No alarm system relayed to the Sauk County Sheriff's Department will be tested to determine the Sheriff's Department response without first notifying the Sheriff's Department. However, the Sheriff's Department may inspect or test on-site alarm systems authorized under this chapter.

(3) Alarm systems shall be in compliance with all applicable response policies of the Sauk County Sheriff's Department.

39.05 False Alarms; Enforcement and Penalties. (1) General. Each false alarm requires the response of public safety personnel involving unnecessary expense to Sauk County, increasing the risk of injury to persons or damage to property, and diluting the overall public safety protection to the County. Such false alarms constitute a public nuisance and must be abated.

(2) Intentional. No person shall intentionally cause the activation of an alarm system knowing that no emergency exists.

(3) Penalties.

(a) Any person, business, corporation, alarm receiving firm, alarm business, property owner or other entity having an alarm system with alarm device(s) at one (1) or more locations, shall forfeit to the County of Sauk, a penalty of not less than fifty dollars (\$50.00) nor more than eighty dollars (\$80.00), as set forth in Section 20.07(I)1 Sauk County Code of Ordinances, together with court costs and any other taxable costs in said action for false alarms responded to by the Sauk County Sheriff's Department or its designees.

(b) Any person, business, corporation, alarm receiving firm, alarm business, property owner, or other entity violating this chapter in any manner, other than for false alarms specified in paragraph (a) of this subsection, shall forfeit to the County of Sauk, a penalty of not less than fifty dollars (\$50.00) nor more than eighty dollars (\$80.00), as set forth in Section 20.07(I)2 Sauk County Code of Ordinances, together with court costs and any other taxable costs.

(4) Default. On default of payment of forfeiture and/or costs under this chapter, such person or responsible corporate officer of a violating corporation shall be imprisoned in the Sauk County jail until the same be paid, not to exceed the time specified by the court which length of time shall not exceed six (6) months.

(5) Strict liability. Section 39.05(3)(a) is intended to impose a strict liability on the person, business, corporation, property owner or other entity responsible for alarm connection to either the Sauk County Sheriff's Department or to an alarm receiving firm to which the Sheriff's Department has responded and shall be applied regardless of the cause of the false alarm, excepting those alarms excluded from the definition of "*False Alarm.*"

(6) Enforcement. The provisions of this chapter shall be enforced by employees of the Sauk County Sheriff's Department, its designees or other persons authorized by the Sauk County Board of Supervisors. This ordinance may be enforced by citation or civil forfeiture and the Sauk County Corporation Counsel is authorized to prosecute violations of this chapter. Any person, business, corporation, alarm receiving firm, alarm business,

property owner or other entity violating this ordinance may be issued a citation in which case punishment shall occur by forfeiture provided in Chapter 20 Sauk County Code of Ordinances.

(7) Joint liability. When any premises located in the County is owned, leased or occupied by two (2) or more persons as joint tenants, tenants in common, joint lessees or in any other manner, each person may be subject to a penalty in violation of this section.

39.06 Limitation on County Liability.

Sauk County shall be under no duty or obligation to a subscriber or to any other person concerning any provision of this chapter, including but not limited to, any defects in any alarm system or any delays in transmission or response to any alarm; however, this in no way shall be construed that it is not the proper function of law enforcement to respond to alarms.

39.07 Severability Clause. Should any part or section of this chapter be held to be invalid for any reason, the remaining provisions shall continue in full force and effect, the intent being that all provisions are separable.

As adopted by the Sauk County Board of Supervisors on October 17, 1995.