

Chapter 168 - BURGLARY AND ROBBERY ALARM SYSTEMS^[1]

Footnotes:

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Editor's note— Ord. [2016-562-E](#), §§ 1 and 2, amended the Code by repealing former Ch. 168, §§ 168.101—168.107, and adding a new Ch. 168. Former Ch. 168 pertained to similar subject matter, and derived from Ord. 76-683-400; Ord. 77-47-10; Ord. 77-107-521; Ord. 77-1189-617; Ord. 83-591-400; and Ord. 88-337-244.

State Law reference— Alarm system contractors and alarms, F.S. § 489.501 et seq.

Sec. 168.101. - Purpose.

The purpose of this Chapter is to encourage alarm users and alarm contractors (including, but not limited to, sales, installation, and/or monitoring) to maintain the operational reliability and the proper use of alarm systems so as to limit unnecessary police responses to false alarms and alarm malfunctions.

This Chapter governs all alarm systems intended to summon police response, and requires registration, establishes fees, provides for fines for violation, and establishes a system of administration and collection procedures.

(Ord. [2016-562-E](#), § 2)

Sec. 168.102. - Definitions.

As used in this Chapter:

- (a) *Alarm Control Officer* means the person designated by the Jacksonville Sheriff's Office to administer, control and review false alarm reduction efforts and administers the provisions of this Chapter.
- (b) *Alarm Contractor* means any person, group, firm, partnership, proprietorship, corporation, business entity, governmental entity, utility, or educational entity that installs, maintains, alters, repairs, monitors, inspects, replaces or services alarm systems for compensation. An Alarm Contractor shall possess a current and appropriate occupational license from the City and the County, an Alarm Contractor's Registration Certificate issued by the Jacksonville Sheriff's Office and where applicable, shall meet the requirements for an alarm system contractor pursuant to F.S. Chapter 489. Alarm Contractors shall maintain a 24 hour emergency telephone number and shall be capable of responding to an emergency service call within four hours.
- (c) *Alarm Contractor's Registration Certificate* means a certificate issued by the Jacksonville Sheriff's Office allowing Alarm Contractors to operate in Duval County, excluding the Beaches.
- (d) *Alarm Permit Number* means a permit issued by the Jacksonville Sheriff's Office allowing the operation of an Alarm System within Duval County, excluding the Beaches.
- (e) *Alarm Permit Year* means a 12-month period beginning and ending on the day and month on which an Alarm Permit Number is issued.
- (f) *Alarm Registration* means the notification by an Alarm Contractor or an Alarm User to the Alarm Control Officer that an Alarm System has been installed and is in use at an Alarm Site.

- (g) *Alarm Signal* means the audible sound or a transmission of a signal or a message as the result of the activation of an Alarm System or an audible alarm.
- (h) *Alarm Site* means a single fixed premises or location served by an Alarm System. Each unit, if served by a separate alarm system in a multi-unit building shall be considered a separate alarm site.
- (i) *Alarm User* means any person, corporation, partnership, proprietorship, governmental or educational entity or any other person or entity owning, leasing, or operating an Alarm System, or on whose premises an Alarm System is used.
- (j) *Alarm User Awareness Class* means a class conducted for the purpose of educating Alarm Users about the responsible use, operation, and maintenance of Alarm Systems and the problems created by false alarms.
- (k) *Alarm System* means any mechanical or electrical or radio- controlled device, or other such similar devices, which is designed to be used for the detection of smoke or fire or any unauthorized entry into a building, structure or facility, or for alerting others of the commission of an unlawful act within a building, structure or facility, or both, which emits a sound or transmits a signal or message when activated. Alarm Systems include direct dial telephone devices, audible, silent, fire and panic alarms and proprietor alarms. Excluded from the definition of Alarm Systems are devices which are not designed or used to register alarms that are audible, visible or perceptible outside of the protected building, structure or facility; or auxiliary devices installed by telephone companies to protect telephone systems from damage or disruption of service; or audible alarms that are affixed to motor vehicles. If an Alarm System is designed to activate an audible alarm, the Alarm System shall be designed so as to automatically deactivate the audible alarm after fifteen (15) minutes of operation.
- (l) *Automatic Dial Protection Device* means an automatic dialing device or an automatic telephone dialing Alarm System and shall include any system which, upon being activated, automatically initiates to the Jacksonville Sheriff's Office a recorded message or code signal indicating a need for law enforcement response.
- (m) *The Beaches* means the cities of Atlantic Beach, Jacksonville Beach, and Neptune Beach within Duval County.
- (n) *Cancellation* means the process where response is terminated when the Alarm Contractor (designated by the Alarm User) notifies the Jacksonville Sheriff's Office that there is not an existing situation at the Alarm Site requiring law enforcement response after an alarm dispatch request. If cancellation occurs prior to law enforcement arriving at the scene, this is not a false alarm for the purpose of civil penalty, and no penalty will be assessed.
- (o) *Commercial Premises* means any structure or area which is not defined herein as Residential Premises.
- (p) *False Alarm*. An alarm is false within the meaning of this Chapter when, upon inspection by the Jacksonville Sheriff's Office, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning Alarm System.
- (q) *Non-Monitored Alarm* means an Alarm System that emits a signal at an Alarm Site that is audible or visible from the exterior of a structure and is not monitored by a registered Alarm Contractor, whether installed by an Alarm Contractor or Alarm User.
- (r) *Notice of Alarm Violation* means a notification of a false alarm by mail or by personal service upon the Alarm User provided by the Jacksonville Sheriff's Office when it is determined that there is no evidence of a crime or other activity which warrants a call for immediate police assistance.
- (s) *Panic/Distress; Robbery Alarm* means alarms that are designed to be manually triggered (usually via an alarm button or keypad) to notify an alarm monitoring company without emitting an audible signal.

- (t) *Residential Premises* means any structure or combination of structures which serve as dwelling units, including single- family as well as multifamily units.
- (u) *Runaway Alarm* means an Alarm System that produces repeated alarm signals that do not appear to be caused by separate human action. The Jacksonville Sheriff's Office may in its discretion discontinue responses to signals from what appears to be a Runaway Alarm.
- (v) *SIA Control Panel Standard CP-01* means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce false alarms. Control panels built and tested to this standard by a nationally recognized testing organization, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction".
- (w) *Telephone Alarm Device* means any device which, when activated, automatically transmits a recorded alarm signal to any telephone instrument installed in the Jacksonville Sheriff's Office.
- (x) *Verify* means an attempt by the Alarm Contractor, or its representative, to contact the Alarm Site and/or Alarm User by telephone and/or other electronic means, whether or not actual contact with a person is made, to attempt to determine whether an Alarm Signal is valid before requesting law enforcement dispatch, in an attempt to avoid an unnecessary alarm dispatch request. For the purpose of this Chapter, telephone verification shall require as a minimum that a second call, also known as "Enhanced Call Verification," be made to a different number, if the first attempt fails to reach an Alarm User who can properly identify himself or herself to attempt to determine whether an Alarm Signal is valid before requesting law enforcement dispatch.

(Ord. [2016-562-E](#), § 2)

Sec. 168.103. - Alarm Registration required (Alarm Users); fees; Alarm Permit Number.

- (a) It shall be unlawful for an Alarm User within Duval County (excluding the Beaches) to operate or maintain an Alarm System on the premises without first filing an Alarm Registration Application with the Jacksonville Sheriff's Office along with an Initial Alarm Registration Application Fee as set by the Jacksonville Sheriff's Office. The Alarm User shall be assigned a unique Alarm Permit Number by the Jacksonville Sheriff's Office for each Alarm Site. The Alarm User shall provide the Alarm Permit Number to the Alarm Contractor to facilitate law enforcement dispatch.
- (b) Each Alarm Permit Number must be renewed annually and can be renewed up to 30 days before and after the annual expiration date at no cost. The Jacksonville Sheriff's Office **shall not respond** to Alarm Sites with Alarm Permit Numbers that have expired for more than 30 days unless it is a Panic/Distress Alarm. If the Alarm User renews the Alarm Permit Number after the Alarm Permit Number has expired for more than 30 days, the Alarm User will be required to pay a reinstatement fee as set by the Jacksonville Sheriff's Office. If an Alarm User renews their Alarm Permit Number more than 30 days after the Alarm Permit Number has expired, the renewal date of the Alarm Permit Number shall not be extended to the time of actual renewal but shall be based on the original expiration date of the Alarm Permit Number.
- (c) If the information provided on the Alarm Registration Application changes during the alarm permit year, the Alarm User shall provide the updated information to the Jacksonville Sheriff's Office within 30 days of the change. Failure to provide updated information within 30 days of the change will result in an administrative fee as set by the Jacksonville Sheriff's Office.
- (d) When possession of an Alarm Site is transferred, the Alarm User obtaining possession of the site shall file an application for an Alarm Permit Number along with the initial Alarm Registration Application fee within 30 days of obtaining possession of the property. Alarm Permit Numbers are not transferable between Alarm Sites or Alarm Users.

- (e) If an Alarm System is used for monitoring two or more separate Alarm Sites having different addresses and/or Alarm Users, a separate Alarm Permit Number is required for each address and/or Alarm User.
- (f) All fines and fees owed by an Alarm User must be paid before an alarm registration is issued or renewed at the noted Alarm Site. All fines and fees owed by an Alarm User must be paid before an alarm registration is issued or renewed to an Alarm User.
- (g) Any Alarm User who has an Alarm System installed prior to the enactment of this Chapter shall have 90 days from the date on which the online alarm registration system is activated by Jacksonville Sheriff's Office to register an existing Alarm System. If the previously installed alarm is registered within 90 days of the date on which the online alarm registration system is activated by Jacksonville Sheriff's Office, the initial Alarm Registration Application fee will apply. If the Alarm User registers the previously installed alarm after 90 days from the date on which the online alarm registration system is activated by Jacksonville Sheriff's Office, the Alarm User will be required to pay an alarm registration reinstatement fee as set by the Jacksonville Sheriff's Office.
- (h) The Jacksonville Sheriff's Office may revoke any Alarm Permit Number issued pursuant to this Section if the Alarm User has violated any provision of this Chapter for which payment of a fee or penalty is provided and has not been paid within the required time period.
- (i) The Alarm Permit Number issued pursuant to this Section shall be in addition to and not in lieu of any other permit, license or certification required by local, state or federal law.

(Ord. [2016-562-E](#), § 2)

Sec. 168.104. - Alarm Contractor Registration Certificate required (Alarm Contractors); fees.

- (a) It shall be unlawful for any Alarm Contractor to install, maintain, alter, repair, monitor, inspect, replace or service Alarm Systems for compensation within Duval County (excluding the Beaches) without first obtaining an Alarm Contractor Registration Certificate issued by the Jacksonville Sheriff's Office. The Jacksonville Sheriff's Office **shall not respond** to addresses in which Alarm Contractors Registration Certificates have not been issued unless it is a Panic/Distress Alarm. The Alarm Contractor Registration Certificate shall be obtained by submitting an Alarm Contractor Registration Application form to the Jacksonville Sheriff's Office along with the Alarm Contractor initial registration certificate application fee as set by the Jacksonville Sheriff's Office. The Alarm Contractor Registration Certificate shall be valid for a period of one year, unless revoked as provided for in this Chapter.
- (b) Each Alarm Contractor Registration Certificate must be renewed annually and can be renewed up to 30 days before and after the annual expiration date by submitting the Alarm Contractor Registration Application Form, accompanied by the annual fee as set by the Jacksonville Sheriff's Office. If the Alarm Contractor renews the Alarm Contractor Registration Certificate after the Alarm Contractor Registration Certificate has expired for more than 30 days, the Alarm Contractor will be required to pay an Alarm Contractor Registration Certificate reinstatement fee as set by the Jacksonville Sheriff's Office. If an Alarm Contractor renews their Alarm Registration Certificate more than 30 days after the Alarm Registration Certificate has expired, the renewal date of the Alarm Registration Certificate shall not be extended to the time of actual renewal but shall be based on the original expiration date of the Alarm Registration Certificate. The Jacksonville Sheriff's Office shall not respond to addresses in which Alarm Contractor's Registration Certificates have expired for more than 30 days unless it is a Panic/Distress Alarm.
- (c) The Jacksonville Sheriff's Office may revoke any Alarm Contractor Registration Certificate issued pursuant to this Section if the Alarm Contractor has violated any provision of this Chapter for which payment of a fee or penalty is provided and has not been paid within the required time period.
- (d) The Alarm Contractor Registration Certificate issued pursuant to this Section shall be in addition to and not in lieu of any other permit, license or certification required by local, state or federal law.

- (e) Any Alarm Contractor doing business in Duval County (excluding the Beaches) prior to the enactment of this Chapter shall have 90 days from the date on which the online alarm registration system is activated by Jacksonville Sheriff's Office to apply for an Alarm Contractor Registration Certificate. If the Alarm Contractor is registered within 90 days of the date on which the online alarm registration system is activated by Jacksonville Sheriff's Office, the initial Alarm Contractor Registration Application fee will apply. If the Alarm Contractor registers after 90 days from the date on which the online alarm registration system is activated by Jacksonville Sheriff's Office, the Alarm Contractor will be required to pay an Alarm Contractor registration reinstatement fee as set by the Jacksonville Sheriff's Office.

(Ord. [2016-562-E](#), § 2)

Sec. 168.105. - Duties of the Alarm User.

It shall be the duty of the Alarm User to:

- (a) Maintain the premises and the Alarm System in a manner that will reduce or eliminate false alarms.
- (b) Provide the Alarm Contractor with the Alarm Permit Number to facilitate dispatch by the Jacksonville Sheriff's Office Communications Center.
- (c) Shall respond or cause a representative to respond to the Alarm Site within 30 minutes when notified by the Jacksonville Sheriff's Office. If any such person or representative does not arrive at the Alarm Site within 30 minutes after being notified to do so, the Alarm User shall be required to pay a fee as set by the Jacksonville Sheriff's Office.
- (d) Shall not manually activate an alarm for any reason other than an occurrence of an event that the Alarm System was intended to report.
- (e) An Alarm User must obtain a new Alarm Permit Number and pay any associated fees if there is a change in address or ownership of a business or residence.

(Ord. [2016-562-E](#), § 2)

Sec. 168.106. - Duties of the Alarm Contractor.

It shall be the duty of the Alarm Contractor to:

- (a) Comply with all relevant provisions of F.S. Ch. 489, and F.S. § 553.7931.
- (b) Obtain and maintain the required State and/or County license(s).
- (c) Provide name, address, and telephone numbers of the Alarm Contractor, or their designee as identified in the Alarm Contractor Registration Certificate, who can be called in an emergency, 24 hours a day; and be able to respond to an alarm call, when notified, within a reasonable amount of time.
- (d) Be able to provide the most current contact information for the Alarm User. Ninety days after enactment of this Chapter the Alarm Contractor shall, on all new and up-graded installations, use only alarm control panel(s) which meet SIA Control Panel Standard CP-01.
- (e) Prior to activation of the Alarm System, the Alarm Contractor must provide instructions explaining the proper operation of the Alarm System to the Alarm User.
- (f) Provide written information to the Alarm User explaining how to obtain service for the Alarm System.
- (g) An Alarm Contractor performing monitoring services shall:

- (1) EXCEPT in the case of a Panic/Distress or Robbery-in-progress Alarm, or in cases where a crime-in-progress has been verified by video and/or audible means, attempt to Verify whether an alarm signal is valid by calling the Alarm Site and/or Alarm User by telephone before requesting dispatch.
- (2) If the first attempt to reach an Alarm User who can properly identify himself to attempt to determine whether an Alarm System is valid, fails, the Alarm Contractor must make a second attempt to call the Alarm User at a different telephone number from the first telephone number.
- (3) Provide the Alarm Permit Number to the Jacksonville Sheriff's Office's Communications Center to facilitate dispatch and/or cancellations.
- (4) Communicate a cancellation to the Jacksonville Sheriff's Office's Communications Center within ten minutes of the original alarm dispatch call following a determination that response is not necessary. If cancellation is received after ten minutes of the original request, but prior to the Jacksonville Sheriff's Office arrival on the scene, it will be accepted as a cancellation and the Alarm User will not be subject to a false alarm fine.
- (5) Communicate any available information about the physical location of the alarm and specific drop information.
- (6) Provide notification in writing to an Alarm User, either by providing a registration form or by providing online registration information, of the requirements of Section 168.103 (Alarm Registration required (Alarm Users); fees; Alarm Permit Number) upon installation, activation or reactivation of an Alarm System.
- (7) Update current customer contact information by reviewing the updated contact information provided by Alarm Users to the Jacksonville Sheriff's Office, which shall be available to the Alarm Contractor. As part of the annual Contractor's Registration application, the Alarm Contractor will provide an attestation to the Jacksonville Sheriff's Office that it has complied with this provision.

(Ord. [2016-562-E](#), § 2)

Sec. 168.107 - Duty of Alarm Monitoring Company.

An alarm monitoring company which is responsible for the ongoing service and/or monitoring of an Alarm System that was not installed by the alarm monitoring company shall notify each of their customers by verbal notice, at a minimum (but may provide written notification), of the requirements of Section 168.103 (Alarm Registration required (Alarm Users); fees; Alarm Permit Number). As part of the annual Contractor's Registration application, the alarm monitoring company will provide an attestation to the Jacksonville Sheriff's Office that it has complied with this provision.

(Ord. [2016-562-E](#), § 2)

Sec. 168.108. - False Alarms; Prohibited Acts; Enforcement of Provisions.

- (a) Responsibility for false alarms under this Chapter shall be borne by the Alarm User. For each response by the Jacksonville Sheriff's Office to any false alarm, any violation shall constitute a Class D offense against the City as follows:
 - (1) It is hereby found and determined that three or more false alarms within a permit year is excessive, constitutes a public nuisance, and shall be unlawful. Civil penalties for false alarms within a permit year shall be assessed against an Alarm User.
 - (2) Each and every response to premises during any permit year where there have already occurred two responses to false alarms during that same period, shall be deemed to constitute

a violation of this Chapter and shall be punishable by a civil penalty. False alarm fines will be assessed as follows:

Number of False Alarms	Fines
1st Offense in any one calendar year	No Charge
2nd Offense in any one calendar year	No Charge
3rd Offense in any one calendar year	\$50.00
4th Offense in any one calendar year	\$100.00
5th Offense in any one calendar year	\$150.00
6th Offense in any one calendar year	\$250.00
7th Offense or more in any one calendar year	No Response by the Jacksonville Sheriff's Office EXCEPT in the case of a panic or robbery-in-progress alarm (\$250.00 fine will continue to apply to false panic or robbery-in-progress alarms)

- (b) It shall be unlawful to activate an Alarm System for the purpose of summoning law enforcement when no burglary, robbery, or other crime against life or property is being committed or attempted on the premises, or otherwise to cause a false alarm. Alarm Users will be issued a notice of alarm violation for officers dispatched to this type of false alarm.
- (c) It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 15 minutes.
- (d) It shall be unlawful to install, maintain, or use an automatic dial protection device that reports, or causes to be reported, any recorded message to the Jacksonville Sheriff's Office.
- (e) Other civil penalties and violations will be enforced through the assessment of civil penalties established by the Jacksonville City Council.
- (f) Payment of civil penalties shall be paid within thirty (30) days from the date of the invoice.
- (g) The failure of an Alarm User to make payment of any civil penalty assessed under this Chapter within 30 days from the date of the invoice shall result in discontinuance of law enforcement

response to alarm signals that may occur at the premises described in the Alarm User's permit until payment is received. In addition, failure to register and obtain a permit may result in no law enforcement response to an unregistered alarm.

- (h) A violation of any of the provisions of this subsection shall be a civil violation and shall not constitute a criminal offense.

(Ord. [2016-562-E](#), § 2)

Sec. 168.109. - Certain telephone alarm devices prohibited.

It shall be unlawful for any person to install, maintain, own, possess or operate any telephone alarm device regulated or programmed to make connection with any telephone installed in any facility of the Jacksonville Sheriff's Office.

(Ord. [2016-562-E](#), § 2)

Sec. 168.110. - Unlawful activation of Alarm Systems.

It shall be unlawful for any person to activate any Alarm System or audible alarm except in the event of an actual attempted burglary or robbery or other valid emergency or for routine testing purposes.

(Ord. [2016-562-E](#), § 2)

Sec. 168.111. - Alarm User Awareness Class.

The Jacksonville Sheriff's Office supports the development of an Alarm User Awareness Class administered by local contract alarm companies. The class shall inform Alarm Users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. The Jacksonville Sheriff's Office may grant the option of attending a class, once every 24 months, in lieu of paying one assessed fine, not to exceed \$100.

(Ord. [2016-562-E](#), § 2)

Sec. 168.112. - Appeals.

- (a) *Appeals process.* Assessments of civil penalties and other enforcement decisions made under this Chapter may be appealed by filing a written notice of appeal with the Jacksonville Sheriff's Office within ten days after the date of notification of the assessment of civil penalties or other enforcement decisions. Failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the assessment of penalties or other enforcement decision. Appeals shall be heard through an administrative process established by the Jacksonville Sheriff's Office. The hearing officer's decision is subject to review in the County Court by proceedings in the nature of certiorari.
- (b) *Appeal standard.* The Alarm Control Officer shall review appeals from the assessment of civil penalties or other enforcement decisions using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the assessment of civil penalties or other enforcement decision, the Alarm Control Officer shall have the discretion to dismiss or reduce civil penalties or reverse any other enforcement decision where warranted.

(Ord. [2016-562-E](#), § 2)

Sec. 168.113. - Confidentiality.

In the interest of public safety, all information contained in and gathered through the alarm registration applications, no response records, applications for appeals and any other alarm records shall be held in confidence by all employees and/or representatives of the Jacksonville Sheriff's Office, pursuant to F.S. §§ 281.301 and 119.071.

(Ord. [2016-562-E](#), § 2)

Sec. 168.114. - Government Immunity.

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either express or implied, of response. The City of Jacksonville and Jacksonville Sheriff's Office are immune from tort liability except to the extent it is waived in F.S. § 768.28. By applying for an alarm registration, the alarm user acknowledges that the Jacksonville Sheriff's Office response may be influenced by factors such as: the availability of law enforcement officers, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

(Ord. [2016-562-E](#), § 2)

Sec. 168.115. - Penalty.

Except as otherwise specified herein, any act or omission which is stated in this Chapter to be unlawful shall be punishable as a Class D offense against the City.

(Ord. [2016-562-E](#), § 2)