

**SHEBOYGAN COUNTY    ORDINANCE NO. 06 (2021/22)**

Re:    **Amending Chapter 38.29, Regulation of Emergency Alarms**

**WHEREAS**, the Sheriff's Department has reviewed County Code Section 38.29 regarding regulation of emergency alarms and has determined an update to the code language is appropriate given how the use of emergency alarms has developed.

**NOW, THEREFORE**, the County Board of Supervisors of the County of Sheboygan does ordain as follows:

Section 1.    **Amending Code.** Section 38.29 of the Sheboygan County Code of Ordinances is hereby amended as follows (additions indicated by shading, deletions by strike out):

38.29    REGULATION OF EMERGENCY ALARMS.

- (a)    Purpose. The purpose of this Ordinance is to reduce the high incidence of false alarms, and to prevent alarms from interfering with the emergency 911 telephone system, thereby promoting public peace and good order within Sheboygan County.
  
- (b)    Definitions.
  - (1)    Alarm - As used in this Section, "**alarm**" shall mean any device which when actuated by a criminal act or other emergency requiring law enforcement response, transmits a signal to central alarm system or directly to the Sheboygan County Sheriff's Department or produces an audible or visual signal designed to notify persons within the audible or visual range of the signal. Except where inconsistent, the term alarm shall include automatic dialing devices.
  
  - (2)    Automatic Dialing Device - As used in this Section, "**automatic dialing device**" shall mean any telephone or electronic device or attachment which automatically selects a public primary telephone trunk of the Sheriff's Department and produces any prerecorded message to report a criminal act, a fire, or other emergency.
  
  - (3)    False Alarm - As used in this section, "**false alarm**" means a signal from an alarm, telephone, or other contact with the Sheboygan County Sheriff's Department when an emergency situation does not exist, including without limitation, the activation of an alarm through negligence of the alarm owner or lessee or his or her agent or employee, or through mechanical failure. The term "false alarm" shall also include intentional acts of alarm owners or their agents and employees.
  
  - (4)    Owner - As used in this section, "**owner**" means the owner of an alarm device and his or her agent or employee.
  
  - (5)    Person - As used in this section, "**person**" means individuals, associations of individuals, firms, corporations, and business entities.
  
- (c)    Automatic Dialing Devices Prohibited. No person shall use or cause to be used any automatic telephone dialing device which automatically selects a public telephone number of the Sheboygan County Sheriff's Department. The relaying of messages to the Sheriff's Department from automatic dialing devices shall only be accomplished by person to person telephone communication.

~~Owners of automatic dialing devices that desire to have the Sheriff's Department respond to the alarm shall register their dialing devices with the Sheriff's Department prior to installation; owners with existing installations shall register their alarms within thirty (30) days after adoption of this Ordinance. Registration forms shall be supplied by the Sheriff.~~

~~(d) Installation of Alarms. Only alarms installed in a place of business may terminate at the Sheboygan County Sheriff's Department alarm panel. No alarm shall be installed unless the installation has previously been approved by the Law Committee, which approval will be based on availability. Requests for installation shall be submitted on an application/registration form supplied by the Sheriff and shall be subject to the terms set forth on that form. Alarm owners that currently have alarms installed which terminate at the Sheriff's Department alarm panel shall register their alarms within thirty (30) days after adoption of this Ordinance. Registration forms shall be supplied by the Sheriff.~~

~~(e)(d) Intentional Giving of False Alarms Prohibited. No person shall intentionally give or cause a false alarm of any type to be received at the Sheboygan County Sheriff's Department. An intentional false alarm includes the testing of an alarm without prior notification to the Sheriff's Department.~~

~~(f)(e) Fees for False Alarms. Alarm owners, including owners of automatic dialing devices shall be charged a fee for each false alarm that is received by the Sheriff's Department, in accordance with the following calendar year schedule:~~

- ~~(1) First two false alarms ..... no charge~~
- ~~(2) Third thru ninth false alarms ..... \$100.00 each~~
- ~~(3) Ten false alarms..... disconnection~~

~~Fees must be paid within thirty (30) days of the date of written notification from the Sheriff's Department. The Sheriff shall, upon thirty (30) days prior written notice to the alarm owner, cause an alarm to be disconnected. Ten (10) false alarms received by the Sheriff's Department, non-payment of fees, non-registration, or non-compliance with any other provision of this section shall be cause for disconnection.~~

~~The fee schedule becomes effective ninety (90) days after new installations.~~

~~(g) Disconnections. The Sheriff shall, upon thirty (30) days prior written notice to the alarm owner, cause an alarm to be disconnected. Ten (10) false alarms received by the Sheriff's Department, non-payment of fees, non-registration, or non-compliance with any other provision of this section shall be cause for disconnection.~~

~~— A disconnect may be appealed by filing a written notice of appeal with the Sheriff no later than ten (10) days after the effective date of disconnection. Said appeal shall be heard by the Law Committee within thirty (30) days of receipt by the Sheriff of written appeal notice. The alarm owner shall be notified of the time and place of the hearing no less than forty-eight (48) hours prior to the hearing.~~

~~(h) Termination of Response – Automatic Dialing Devices. Ten (10) false alarms received by the Sheriff's Department in a calendar year or non-registration or non-payment of fees shall be cause for the Sheriff to terminate the Department's response to any future messages received by relay which were initiated by an automatic dialing device. Termination of response shall become effective upon thirty (30) days prior written notice to the alarm owner. The appeal procedure shall be as described in Subsection (7) of this Section.~~

~~(i)(f) Exclusions. This Section (38.29) is not applicable to alarms which do not terminate at, or are not relayed, to the Sheboygan County Sheriff's Department.~~

- (j) ~~Severability.~~ The several subsections and paragraphs of this Section are declared to be severable. If any subsection or subparagraph of this Section shall be declared invalid by a decision of a court of competent jurisdiction, such decisions shall not affect the validity of the other provisions of this Code, or of the Section of which the invalid portion or paragraph may be a part.
- (k)(g) ~~Penalty.~~ Any person convicted of a violation of Subsections (3)(c) through (5)(d), above, shall forfeit not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each occurrence or each date that the violation existed.

Section 2. **Effective Date.** The herein Ordinance shall take effect \*upon enactment.

Respectfully submitted this 15th day of February, 2022.

**LAW COMMITTEE**

Charlette Nennig  
Charlette Nennig, Chairperson

Gerald Jorgensen  
Gerald Jorgensen, Vice-Chairperson

Brian C. Hoffmann  
Brian C. Hoffmann, Secretary

Paul A. Gruber  
Paul A. Gruber

Wendy Schobert  
Wendy Schobert

Opposed to Introduction:

\_\_\_\_\_

\_\_\_\_\_

Enacted 03/15/2022