

## Chapter 15 - POLICE<sup>[1]</sup>

Footnotes:

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**Editor's note**— Ord. No. [2017-29](#), §§ 1—28, adopted June 13, 2017, amended and renumbered Chapter 21 as Chapter 15 to read as herein set out.

Secs. 15-1—15-15. - Reserved.

Sec. 15-16. - Police Department; establishment; composition; personnel; position classification plan.

- (a) There shall be a police department, headed by a police chief, who shall be the department director. The Police Chief shall be appointed by the City Manager, and confirmed by the City Council. The position shall be an unclassified position and shall serve at the pleasure and will of the City Manager and not subject to the City merit system.
- (b) The Police Department shall employ police officers, certified as law enforcement officers, under the laws and statutes of the State of Arizona and such other persons as may be necessary.

(Code 1977, § 4-1-1; Ord. No. 92-15, 3/24/92, Amended; Ord. No. 09-33, 08/25/09, Amended (SUPP 2009-3); Ord. No. [2017-29](#), § 2, 6-13-17)

Sec. 15-17. - Departmental rules and regulations.

The police department shall be operated and managed in accordance with such departmental rules and regulations as may from time to time be recommended by the chief of police and approved by the city manager.

(Code 1977, § 4-1-2; Ord. No. [2017-29](#), § 3, 6-13-17)

Sec. 15-18. - Duties of the police department.

The police department, under the direction of the police chief shall:

- (a) Enforce this code and the statutes of the State of Arizona within jurisdictional limits as conferred by law, and to arrest and charge the violators thereof.
- (b) Take charge of all prisoners delivered by the order of any court.
- (c) Deliver any person, who may be confined upon conviction of a crime omitted under the jurisdiction of the magistrate's court, to any community service program authorized by the city manager.
- (d) Render such account of the police department, its duties, and receipts as may be required by the city manager, and keep records of the office open to inspection by the city manager at any time.
- (e) Direct traffic and ensure the orderly flow thereof, and investigate and make reports on traffic accidents within the jurisdiction of the city.

(Code 1977, § 4-1-3; Ord. No. 92-15, 3/24/92, Amended; Ord. No. [2017-29](#), § 4, 6-13-17)

Sec. 15-19. - Unarmed police assistants.

The city may employ individuals as unarmed police assistants. A police assistant appointed pursuant to this section shall:

- (a) Be unarmed at all times during the course of their duties.
- (b) Be empowered to commence an action or proceeding before a court or judge for any violation of city ordinances regulating the standing or parking of vehicles.

Police assistants appointed pursuant to this section shall not be granted any other powers or benefits to which police officers are entitled.

(Ord. No. 92-15, 3/24/92, Enacted; Ord. No. [2017-29](#), § 5, 6-13-17)

#### Sec. 15-20. - Traffic investigators.

The city may employ individuals as traffic investigators. A duly employed police assistant may also be assigned the duties of a traffic investigator. Traffic investigators appointed pursuant to this section shall:

- (a) Be unarmed at all times during the course of their duties.
- (b) Be empowered to commence an action or proceeding before a court or judge for any violation of a state statute or city ordinance relating to traffic laws within the jurisdiction of the city.
- (c) File written reports as required by A.R.S. § 28-667.

Traffic investigators appointed pursuant to this section shall not be granted any other powers or benefits to which police officers are entitled.

(Ord. No. 92-15, 3/24/92, Enacted; Ord. No. [2017-29](#), § 6, 6-13-17)

**State Law reference—** A.R.S. § 28-627.

#### Secs. 15-21—15-29. - Reserved.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-15, 3/24/92; Ord. No. [2017-29](#), § 7, 6-13-17)

#### Sec. 15-30. - Reserved.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed; Ord. No. [2017-29](#), § 8, 6-13-17)

#### Sec. 15-31. - Alarm systems; applicability.

This chapter is intended to regulate the responsibilities of those persons who purchase and rent alarm systems, devices or services. It is further intended to encourage the improvement in reliability of these systems, devices, and services. This chapter specifically encompasses burglar alarms and robbery, holdup, duress, or panic alarms, both audible and inaudible (silent).

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed, Renumbered and Reenacted; Ord. No. 96-10, 2/6/96; Ord. No. [2017-29](#), § 9, 6-13-17)

#### Sec. 15-32. - Alarm systems; definitions.

- (a) *Act of God*: An unusual, extraordinary, sudden and unexpected manifestation of the forces of nature, which cannot be prevented by reasonable care, skill or foresight.
- (b) *Alarm Administrator*: A person or persons designated by the City of Peoria to administer, control and review false alarm reduction efforts and administers the provisions of this ordinance.

- (c) *Alarm Business:* Any person, firm, partnership, corporation or business which owns or conducts the business of any one or more of the following: selling, leasing, renting, maintaining or monitoring alarm systems, devices or services.
- (d) *Alarm permit:* A permit issued to an alarm user by the City allowing the operation of an alarm system within the City.
- (e) *Alarm signal:* A detectable signal; audible, silent, and/or visual, generated by an alarm system, to which law enforcement is requested to respond.
- (f) *Alarm system:* Any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other illegal activity requiring immediate attention and to which law enforcement is requested to respond, but does not include motor vehicle or boat alarms, fire alarms, domestic violence alarms, or alarms designed to elicit a medical response.
- (g) *Alarm user:* Any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning, leasing or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.
- (h) *Burglary Alarm:* A device designed for the detection of an unauthorized entry and which when activated generates an audible sound on the premises.
- (i) *Cancellation:* The process where response is terminated when the alarm business (designated by the alarm user) notifies the Peoria Police Department that there is not an existing situation at the alarm site requiring police response after an alarm dispatch request. If cancellation occurs prior to police arriving at the scene, this is not a false alarm for the purpose of civil/criminal penalty, and no penalty will be assessed.
- (j) *Common Cause:* A malfunction which causes an alarm system to generate a series of false alarms. The series of false alarms shall be counted as one false alarm if the false alarms have all occurred within a 24 hour period, and the responsible alarm business has documented to the Police Chief or designee the action taken to rectify the cause, and a thirty (30) day period expires with the alarm system generating no additional false alarms from the documented cause.
- (k) *Enhanced Call Confirmation:* An attempt by the alarm system monitoring company to contact the alarm site and/or alarm user by telephone and/or other means, whether or not actual contact with a person is made, to determine whether an alarm signal is valid before requesting law enforcement response. A second call shall be made to an alternate number provided by the alarm user if the first attempt fails. EXCEPT in case of a fire, panic or robbery-in-progress alarm or in cases where a crime-in-progress has been verified as defined in ANSI/CSAA CS-V-01-2016 (or current version).
- (l) *False Alarm:* Any activation of an alarm not caused by or as a result of a criminal act or unauthorized entry, except for activation for testing purposes when the police department has been given advance notice, or activation caused by the police department.
- (m) *False Alarm Awareness Class:* 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.
- (n) *Monitored Alarm:* A device designed for the detection of unauthorized entry which when activated generates an inaudible signal to a monitoring station and may also generate an audible sound on the premises.
- (o) *Permit year:* A 12-month period beginning on the day and month on which an alarm permit is issued.
- (p) *Proprietor alarm:* Any monitored alarm or alarm system which is not leased or rented from, or owned or maintained under contract by an alarm business.
- (q) *Robbery, holdup, duress, or panic alarm:* A device designed for the detection of a robbery, holdup or the commission of an unlawful act, and which when intentionally activated by a person, generates a signal to the monitoring station and may or may not generate an audible sound on the premises.

- (r) *Subscriber*: Any person, firm, partnership, corporation or business who (which) leases, rents or purchases any audible or monitored alarm system, device or service from an alarm business.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed, Renumbered and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. 2015-01, 01/20/15, Amended (SUPP 2015-1); Ord. No. [2017-29](#), § 10, 6-13-17)

Sec. 15-33. - Administration; alarm licensing, notification.

The provisions of sections 15-33 through 15-48 as to licensing shall be administered by the City Manager or their designee.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed, Renumbered and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. [2017-29](#), § 11, 6-13-17)

Sec. 15-34. - Alarm business duties.

- (a) Any person engaged in the alarm business in the City of Peoria shall comply with all of the following:
- (1) Obtain and maintain the required state, county and/or City license(s).
  - (2) Alarm business shall supply permit application to alarm user at time of installation or activation.
  - (3) Install and maintain an alarm system in good working order and to take reasonable measures to prevent the occurrence of false alarms.
- (b) Prior to activation of the alarm system, the alarm business must provide instructions explaining the proper operation of the alarm system to the alarm user.
- (c) The alarm business shall provide written information to the alarm user of how to obtain service from the alarm business for the alarm system.
- (d) An alarm business performing monitoring services shall:
- (1) Use ECC to in an attempt to determine whether an alarm signal is valid before requesting dispatch, except in the case of a robbery, holdup, duress, or panic alarm or in cases where a crime-in-progress has been verified by video and/or audible means.
  - (2) Provide address and alarm user permit number, when available, to the communications center to facilitate dispatch and/or cancellations.
  - (3) Communicate any available information about the zone or sensor activation location of the alarm.
  - (4) Communicate a cancellation to the law enforcement communications center as soon as possible following a determination that response is unnecessary.
- (e) Prohibited acts:
- (1) It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 10 minutes.
  - (2) 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 Peoria Police Department.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed, Renumbered and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. 02-42, 6/7/02 Amended (SUPP 2002-2); Ord. No. [2017-29](#), § 12, 6-13-17)

Sec. 15-35. - Alarm subscriber's and proprietor duties.

- (a) *Alarm subscriber duties.* The subscriber shall do all of the following:
- (1) Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms;
  - (2) Respond or cause a representative to respond to the alarm system's location within 60 minutes when notified by the Peoria Police Department;
  - (3) Manually activate an alarm only for an event that the alarm system was intended to report;
  - (4) Obtain a new permit and pay any associated fees if there is a change in address or ownership of a business or residence;
  - (5) Instruct authorized personnel who place the system or device into operation in the appropriate method of operation for locking and securing all points of entry.
  - (6) Receive a current copy of the provisions of Sections 15-31—15-48 from the Police Department upon registration.
- (b) *Permit required.* Within 10 days of alarm system activation, an alarm user shall apply for a permit for such alarm system from the City of Peoria. A fee may be required for the initial registration and annual renewals, as proscribed in Chapter 27, Table 16 of the Peoria City Code. The Police Department will assign each alarm permit a unique permit number, and the user shall provide the permit number to the alarm company to facilitate law enforcement dispatch.
- (c) *Application.* The permit shall be completed on an application form provided by the City. An alarm business has the duty to provide an application to the alarm user.
- (d) *Transfer of possession.* When the possession of the premises at which an alarm system is maintained is transferred, the person (user) obtaining possession of the property shall file an application for an alarm permit within 30 days of obtaining possession of the property. Alarm permits are not transferable.
- (e) *Reporting updated information.* Whenever the information provided on the alarm permit application changes, the alarm user shall provide correct information to the City within 30 days of the change. In addition, each year after the issuance of the permit, permit holders will receive from the City a form requesting updated information. The permit holder shall complete and return this form to the City whether or not any of the requested information has changed; failure to comply will constitute a violation and may result in a civil penalty.
- (f) *Multiple alarm systems.* If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses and/or tenants, a separate permit shall be required for each structure and/or tenant. The single owner of a single paneled multi-unit complex with the same address can obtain one permit.
- (g) *Prohibited acts.*
- (1) It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises, or otherwise to cause a false alarm.
  - (2) It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 10 minutes.
  - (3) 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 Peoria Police Department.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. 02-42, 6/7/02 Amended (SUPP 2002-2); Ord. No. [2017-29](#), § 13, 6-13-17)

Sec. 15-36. - Alarm businesses; permits and exemptions.

- (a) The provisions of Sections 15-31—15-48 shall not be applicable to audible alarms affixed to automobiles and audible fire alarms.
- (b) Each alarm business shall possess a valid license as required by state law in order to operate.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. 02-42, 6/7/02 Amended (SUPP 2002-2); Ord. No. [2017-29](#), § 14, 6-13-17)

**State Law reference—** A.R.S. § 32-2621 et seq.

Sec. 15-37. - Reserved.

**Editor's note—** Ord. No. [2017-29](#), § 15, adopted June 13, 2017, renumbered and repealed § 21-37 as 15-37, which pertained to alarm agents; suspension or revocation of permits; appeal and derived from Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96; Ord. No. 02-42, 6/7/02 Amended (SUPP 2002-2); Ord. No. 05-31, 6/21/05 Amended (SUPP 2005-2).

Sec. 15-38. - Reserved.

**Editor's note—** Ord. No. [2017-29](#), § 16, adopted June 13, 2017, renumbered and repealed § 21-38 as 15-38, which pertained to alarm subscribers; permit required, penalties, assessments and derived from Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. 02-42, 6/7/02 Amended (SUPP 2002-2).

Sec. 15-39. - Excessive false alarms/Failure to register; civil penalties.

- (a) It is hereby found and determined that two or more false alarms within a permit year is excessive, constitutes a public nuisance, and shall be unlawful.
  - (1) The Alarm Administrator or representative will notify alarm users via regular mail or electronic mail to the mailing/electronic mail address on file of excessive false alarms and/or failure to register.
  - (2) Alarm users are required to keep mailing addresses and contact information current. Officers may be used to hand deliver notices if letters are returned or unanswered.
- (b) The City may assess civil penalties for false alarms within a permit year against an alarm user as proscribed in Chapter 27 Table 17 of the Peoria City Code.
- (c) Any false alarms generated by systems for which no permit has been issued are subject to an additional fee as proscribed in Chapter 27 Table 17 of the Peoria City Code, in addition to the fines outlined in Subsection b.
- (d) After three false alarms in a permit year, it shall be unlawful for an alarm user and alarm business to operate the alarm until the alarm user files a certificate with the Police showing that the alarm user has completed the False Alarm Awareness Class or files a certificate, work order, or notice from the alarm business certifying alarm user training on the alarm system and, if necessary, repairs or replacement of the alarm system.
- (e) Violations, including failure to register, will be enforced through the assessment of civil penalties as proscribed in Chapter 27 Table 17 of the Peoria City Code
- (f) Civil penalties shall be paid within (30) days from the date of the invoice. Payments must be sent to City of Peoria. After 120 days all unpaid penalties and assessments may be sent to collections.
- (g) A violation of any of the provisions of this Chapter shall be a civil violation and shall not constitute a criminal misdemeanor.

- (h) The failure of an alarm user to make payment of any civil penalties 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.
- (i) The Alarm Administrator shall notify the alarm user in writing after the first false alarm. The notice shall include:
  - (A) The amount of payment required for the civil penalty.
  - (B) The fact that the Police Department response will be suspended after three (3) false alarms in a twelve (12) month alarm permit period, excluding robbery, holdup, duress, or panic alarms.
  - (C) A description of the appeals procedure available to the alarm user.
- (j) After an alarm site has accumulated three (3) false alarm responses in a twelve (12) month alarm permit period, the Alarm Administrator shall notify the alarm user, in writing thirty (30) days before an alarm response is to be discontinued. Suspension of alarm response does not apply to robbery, holdup, duress, or panic alarms. The notice of suspension will include the amount of the civil penalty amount for each false alarm and a description of the appeals procedure available to the alarm user and the alarm business.
- (k) A person whose alarm permit has been suspended may obtain reinstatement of the permit by the Alarm Administrator if the person submits to the Alarm Administrator all of the following:
  - (1) A reinstatement fee, as proscribed in Chapter 27 Table 17 of the Peoria City Code.
  - (2) Sufficient articulation in writing addressing proactive measure to be implemented, preventing false alarms in the future.
  - (3) Certification from an alarm business stating that the alarm has been inspected and/or repaired only in cases where repetitive, obvious malfunctioning of the system occurred.
- (l) The Police Department shall reinstate its response to an alarm site as soon as practical, after receiving notice of reinstatement from the Alarm Administrator.
- (m) If an alarm permit is reinstated after suspension, the Police Department may again discontinue service if it is determined that two (2) false alarms have occurred within 90 days after the reinstatement date.
- (n) The City may create and implement a False Alarm Awareness Class and may request the assistance of the area alarm businesses to assist in developing and implementing the class. The class shall inform alarm users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. The City may grant the option of attending a class in lieu of paying one assessed penalty of alarm user, not to exceed \$75.00.

(Ord. No. [2017-29](#), § 17, 6-13-17)

**Editor's note—** Ord. No. [2017-29](#), § 17, adopted June 13, 2017, amended and renumbered § 21-39 as § 15-39 in its entirety to read as herein set out. Former § 21-39, pertained to false alarm; warning notice, and derived from Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. 99-95, 9/1/99, Amended (SUPP 1999-3).

Sec. 15-40. - Police review of false alarms.

- (a) Upon the Police Department recording the second and each subsequent false alarm, the Police Department shall notify the subscriber or the proprietor alarm owner by mail of such fact and direct that a report be submitted to the Police Chief within twenty (20) days of the date of mailing. The report shall contain:
  - (1) A description of the action taken to discover and eliminate the cause of the false alarm.

- (2) Specific reasons, if any, why the alarm(s) should not be considered false alarm(s). Evidence that a false alarm was caused by an act of God, common cause or action of the telephone company shall constitute affirmative defenses to an assessment for the particular false alarm.
- (b) The report required in Subsection (a) shall be received by the Police Chief or designee within the time specified. If the report is not timely submitted, the party shall have waived their right to any further review or hearing and the alarm business, subscriber, or the proprietor alarm owner operating the alarm system generating the false alarms will be assessed, pursuant to Subsection (e).
- (c) If the report required in Subsection (a) is submitted, the Police Chief or designee shall review the corrective action taken to discover and eliminate the cause of the false alarms and the specific reason(s) for the false alarm(s), if any. If it is determined that a valid reason for the false alarm exists, a notice will be sent to all parties that no assessment will be made at that time. The notice shall specifically set forth the findings and conclusions of the Police Chief with respect to the review of the report submitted.
- (d) If the Police Chief or designee determines that no reason for the false alarms has been provided, a notice shall be sent by mail to the subscriber or the proprietor alarm owner that they will be assessed pursuant to Subsection (e). The notice shall contain findings and conclusions of the Police Chief with respect to the review of the report submitted.
- (e) The subscriber and the alarm business shall, be jointly and severally responsible for the payment of assessments imposed upon their alarm system. The owner of a proprietor alarm shall be responsible for the payment of assessments imposed upon a proprietor alarm system.
- (f) False Alarms in Government facilities. When a government facility generates a false alarm, the Alarm Administrator will investigate possible causes and coordinate with the responsible official any courses of actions deemed necessary to address the situation.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. 99-95, 9/1/99, Amended (SUPP 1999-3); Ord. No. [2017-29](#), § 18, 6-13-17)

Sec. 15-41. - False alarm assessments; appeal procedures.

- (a) Any party aggrieved by a decision of the Police Chief made pursuant to Section 15-40 of this Code may, within ten (10) days of the receipt of notice of the decision, appeal to the City Manager or their designee by filing an appeal with the Police Chief.
- (b) The appeal shall be in writing and set forth specific objections to the decision of the Police Chief.
- (c) The City Manager shall set a time and place for the appeal hearing as soon as practicable.
- (d) The appeal hearing shall be conducted in an informal proceeding:
  - (1) The technical rules of evidence shall not apply to such hearings.
  - (2) All parties shall have the right to present evidence in support of or in opposition to the decision of the Police Chief.
- (e) The decision of the City Manager shall:
  - (1) Affirm the decision of the Police Chief, in which case any assessment imposed shall be sustained; or
  - (2) Reverse the decision of the Police Chief, in whole or in part, in which case a lesser assessment or no assessment shall be imposed.
- (f) In the event the decision of the Police Chief is affirmed in an appeal involving a subscriber and alarm business permittee, the City Manager may designate the subscriber or the alarm business permittee as solely responsible for the payment of the assessment.



(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96; Ord. No. [2017-29](#), § 19, 6-13-17)

Sec. 15-42. - Alarm System Operation Prohibitions.

Upon a final determination of assessment for the fourth through eighth and the ninth and subsequent false alarm within a consecutive three hundred sixty-five (365) day calendar period, the responsible party shall tender the fee assessed within thirty (30) days of the date ordered or discontinue operation of the alarm system. Failure to discontinue the operation of the alarm system and tender the assessment is unlawful, and the unpaid balance will be subject to a service charge of eighteen percent (18%) annually in addition to the assessment.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. 99-95, 9/1/99, Amended (SUPP 1999-3); Ord. No. [2017-29](#), § 20, 6-13-17)

Sec. 15-43. - Grace Period.

- (a) All new installed and reinstalled alarm systems shall not be subject to the provisions of this article relating to the counting and assessment of false alarms for a period of sixty (60) days from the date the alarm system becomes operational. For the purposes of this section, reinstalled alarm system means the installation of a new control panel.
- (b) The grace period provided in subsection (a) of this section shall apply only if the alarm business, subscriber, or proprietor alarm owner notify the Police Chief or designee in writing within thirty (30) days of the completion of installation or reinstallation. The written notice shall specify the date the system was installed or reinstalled. For reinstalled alarms systems, the notice shall also describe the nature and extent of the reinstallation.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96; Ord. No. [2017-29](#), § 21, 6-13-17)

Sec. 15-44. - Alarm systems; regulations.

- (a) Each alarm system shall be inspected and serviced at least once in each twelve month period. The subscriber or proprietor shall maintain records for each system showing dates of inspection and the name of the person making such inspection. Records shall be kept for a minimum of twelve (12) months and be open to the Police Chief or designee on their request upon seventy-two (72) hours' notice served by U.S. Mail or any other means reasonably calculated to provide notice.
- (b) It shall be unlawful for any person to intentionally activate any alarm system, except to warn of a criminal act or unauthorized entry on or into an alarm protected premises, or to test an alarm system when the police department has been given advance notice of such testing.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96; Ord. No. [2017-29](#), § 22, 6-13-17)

Sec. 15-45. - Prohibition of automatic or prerecorded messages to the City; exception.

No person shall use or cause to be used any telephone device or attachment that automatically selects or dials a published emergency telephone number or any City of Peoria telephone number and then reproduces any prerecorded message or signal. This section shall not apply to a life safety alert system utilizing residential transmitting equipment designated for direct telephone access to dedicated control receiving equipment located in the City's Fire-Medical Department.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96; Ord. No. 2015-01, 01/20/15, Amended (SUPP 2015-1); Ord. No. [2017-29](#), § 23, 6-13-17)

Sec. 15-46. - Application; Requirements; Installation, Restrictions.

- (a) Any person in the business of selling or leasing alarm systems who desires to have a private secondary telephone line terminate at one location in any City building shall submit an application in writing to the City Manager. Such application shall contain specific provisions relating to false alarms and testing procedures. The City Manager shall approve such application if he finds that:
- (1) The termination of such telephone line will have no negative impacts on regular City activities; and
  - (2) The person seeking the termination agrees that no messages will be telephoned on said line except by an agent of his with access to customer files; and
  - (3) The person seeking the termination maintains adequate equipment and work force to repair, maintain or service alarms sold or leased by him.
- (b) No person shall place in any City building any monitoring panels and annunciation or receiving equipment, other than a private line telephone as provided in this section, except equipment for municipal alarm purposes.
- (c) All costs and recurring charges incurred in the installation and maintenance of a such a private secondary telephone line shall be born by the person requesting the termination.
- (d) In addition to any other remedy provided by law, the Police Chief may order the removal of any device or attachment operated or maintained in violation of this section.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. [2017-29](#), § 24, 6-13-17)

Sec. 15-47. - Confidentiality.

The information furnished pursuant to City ordinances and regulations governing the regulation of the activities and responsibilities of persons selling, renting, maintaining or monitoring alarm systems shall be confidential and shall not be subject to public inspection. All information contained in and gathered through the alarm registration applications, all response records, applications for appeals and any other alarm records are not considered public record unless otherwise prohibited or restricted by state law. The storage, processing and transmission of payment cardholder data is PCI Compliant. All permits are destroyed in accordance with Arizona State Record Retention Schedules.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed, Renumbered and Reenacted; Ord. No. 96-10, 2/6/96; Ord. No. [2017-29](#), § 25, 6-13-17)

Sec. 15-48. - Alarm Call Cancellations.

If an alarm business calls an alarm activation into the Police Department for response by officers and the alarm is canceled prior to the officer's arrival, the alarm shall not be treated as a false alarm in accordance with the provisions of this chapter.

(Ord. No. 91-11, 5/14/91; Ord. No. 92-09, 3/17/92, Repealed, Renumbered and Reenacted; Ord. No. 96-10, 2/6/96, Amended; Ord. No. [2017-29](#), § 26, 6-13-17)

Sec. 15-49. - Government Immunity.

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm registration, the alarm user acknowledges that the Peoria Police Department response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

(Ord. No. [2017-29](#), § 27, 6-13-17)

(Ord. No. [2017-37](#), § 19, 6-13-17)

**FEE TABLE 27-16**  
Reference: Section 15-35  
**ALARM SUBSCRIBERS AND PROPRIETOR DUTIES**

<b>Alarm Subscriber's</b>	<b>Fee Amount</b>
Application for Alarm Permit: Business	\$140.00
Application for Alarm Permit: Subscriber	\$20.00
Annual Alarm Permit Fee (renewal) Business	\$20.00
Annual Alarm Permit Fee (renewal) Subscriber	\$10.00

(Ord. No. [2017-37](#), § 20, 6-13-17)

**FEE TABLE 27-17**  
Reference: Section 15-39  
**EXCESSIVE FALSE ALARMS/FAILURE TO REGISTER; CIVIL PENALTIES**

<b>Excessive False Alarms</b>	<b>Fee Amount</b>
First	Waive
Second	\$50.00*
Third	\$75.00
Fourth	\$100.00
Fifth and Sixth	\$150.00
Seventh and Eighth	\$200.00

Ninth, Tenth and over	\$250.00
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\*Second false alarm \$50.00, or waive upon completion of False Alarm Awareness Class

<b>Failure to Register</b>	<b>Fee Amount</b>
Per violation	\$100.00

<b>Reinstatement of Suspended Alarm Permit</b>	<b>Fee Amount</b>
Per violation	\$25.00