

ORDINANCE 1541

AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, CREATING CHAPTER 18, ARTICLE III THROUGH VII OF THE CITY'S CODE OF ORDINANCES RELATED TO FALSE ALARMS; PROVIDING FOR REGISTRATION OF INTRUSION ALARM SYSTEMS AND COMMERCIAL FIRE ALARM SYSTEMS; PROVIDING FOR PENALTIES AND ENFORCEMENT OF FALSE ALARMS; PROVIDING FOR REGISTRATION AND REGULATION OF ALARM INSTALLATION AND MONITORING COMPANIES; PROVIDING FOR REPEAT FALSE FIRE ALARM PROPERTIES TO BE PLACED ON FIRE WATCH; AUTHORIZING CODIFICATION; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this Ordinance, Article III through VII of Chapter 18 of the City's Code of Ordinances is created to read as follows:

Chapter 18 - POLICE¹¹

ARTICLE III. – FALSE ALARMS

Sec. 18.30. - Purpose.

- (1) The purpose of this article is to encourage security, fire or medical alarm users and alarm businesses (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, fire and emergency medical responses to false alarms and alarm malfunctions.**
- (2) This article governs all alarm systems intended to summon police, fire and emergency medical response, and requires registration, establishes fees, provides for fines for violations, and establishes a system of administration and collection procedures.**

Sec. 18.31 - Definitions.

- (1) *Adopted Code(s)* means code including but not limited to Chapter 10, Code of the City of Panama City Beach; National Fire Protection Alarm and Signaling Code (NFPA 72); the National Fire Protection Association Life Safety Code 101 (NFPA 101); and the Florida Administrative Code Section 69A-48.
- (2) *Alarm Company* means a person, partnership or corporation in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an alarm system at an alarm site.
- (3) *Alarm Coordinator* means the person within the Panama City Beach Police Department designated to administer, control, and maintain records; review false alarm reduction efforts; and administer the provisions of this article.
- (4) *Alarm Registration* means authorization granted by the Enforcement Official or Alarm Coordinator to an Alarm User to operate an Alarm System. The registration shall serve as notification by an Alarm User that an Alarm System has been installed and is or will be in use at an Alarm Site.
- (5) *Alarm Site* means a single fixed premises or location, or a multi-tenant location, served by an alarm system or systems. Each unit, if served by a separate alarm system in a multiunit building or complex, shall be considered a separate alarm site.
- (6) *Alarm System* means any mechanical, electrical, or radio-controlled device or system which is designed to emit, transmit or relay a signal or message and which, when activated, is intended to summon, or that would reasonably be expected to summon, police, fire or emergency medical services of the City of Panama City Beach including, but not limited to, local alarms. Alarm system does not include:
 - (a) An alarm installed on a vehicle, unless the vehicle is permanently located at a site; or
 - (b) An alarm designed to alert only the inhabitants of a premise, and which does not constitute a local alarm.
- (7) *Alarm-User* means person, partnership, corporation or any other entity which has contracted for monitoring, repair, installation, or maintenance service from an alarm installation company or monitoring company for an Alarm System, or who owns or operates an Alarm System which is not monitored, maintained, or repaired under contract.
- (8) *Automatic Voice Dialer* means any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice or data message, when activated, over a telephone line, radio or other communication system, to the Panama City Beach Police or Fire Department requesting dispatch.
- (9) *Cancellation* means the process where police response is terminated after an alarm dispatch request has been received and the alarm company notifies the Panama City Beach Police Department that there is not an existing situation at the alarm site requiring police response. If cancellation occurs prior to police arriving at the alarm site or within 10 minutes of the initial alarm dispatch, this is not a false alarm. Cancellation shall not apply to an alarm dispatch involving domestic violence or to any fire or emergency medical alarm systems.
- (10) *Chemical Alarm* means an alarm that emits smoke, gas, pepper spray, or other noxious chemicals or vapors upon activation.
- (11) *Dispatch Request* means a notification to the Panama City Beach Police or Fire Department that an alarm, either manual or automatic, has been activated at a particular alarm site.
- (12) *Enforcement Official* means the City of Panama City Beach representative designated by the Fire Chief to administer this article and control and maintain records involving false fire or emergency medical alarms.
- (13) *False Alarm* means the activation of an alarm system signal or message which elicits notification to and response by the Panama City Beach Police or Fire Departments when there is no evidence of a crime, fire, medical emergency or other activity which warrants a call for immediate police, firefighting

or emergency medical assistance. This may include, but is not limited to, an alarm discovered by a police officer or firefighter before notification of an alarm from a monitor or from a local alarm system that is not monitored.

- (14) *False Alarm Notice* means written notification provided at an alarm site by the Panama City Beach Police Department notifying an alarm user that a False Alarm has occurred at the premises.
- (15) *Fee* means the assessment of a monetary charge payable to the City of Panama City Beach, authorized pursuant to this article, to defray the expenses of responding to a false alarm.
- (16) *Fire Alarm Incident Report* means a document issued by the Enforcement Official indicating that the activation was deemed to be the result of fire alarm activation due to fire, a Nuisance Fire Alarm, or a False Fire Alarm.
- (17) *Fire or Emergency Medical Alarm* means a system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire or a medical emergency or supervisory signal initiating devices which are intended to summon fire or emergency medical services of the City of Panama City Beach.
- (18) *Fire Watch* means an individual(s) designated by the Enforcement Official to the Premises for the purpose of protecting the occupants from fire or similar emergencies. A Fire Watch may involve at least some special action beyond normal staffing, such as assigning an additional security guard(s) to walk the premises, who has been specially trained in fire prevention and in the use of fire extinguishers, in notifying the fire department, in sounding the fire alarm located on the premises, and in understanding the particular fire safety situation.
- (19) *Holdup Alarm* means a silent or audible alarm signal generated by the manual activation of a device intended to signal a robbery in progress.
- (20) *Intrusion Alarm* means a panic or other alarm intended to summon the police, which is designed either to be initiated purposely by a person or by an alarm system that responds to a stimulus characteristic of unauthorized intrusion.
- (21) *License* means a license issued by the State of Florida pursuant to Chapter 489, Florida Statutes, to an alarm company or monitoring company to sell, install, monitor, repair, or replace alarm systems.
- (22) *Local Alarm* means an alarm system which is not monitored, emits a signal at an alarm site, and is audible or visible from the exterior of a structure.
- (23) *Low-Voltage Alarm System Project* means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in § 489.505, Fla. Stat., that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, Current Edition, and ancillary components or equipment attached to such a system, including, but not limited to, home-automation equipment, thermostats, and video cameras.
- (24) *Monitoring Company* means a person, partnership, or association in the business of providing monitoring services for alarm systems.
- (25) *Owner* shall mean any person or legal entity who owns the premises in which an alarm system is installed or the person or persons who lease, operate, occupy or manage the premises if such person or persons are responsible for the installation or maintenance of such alarm system.
- (26) *Person(s)* means an individual, partnership, corporation, association or similar entity.
- (27) *Premises* shall mean any building, structure or combination of buildings and structures which serve as dwelling units such as single-family, multi-family or any other area with a building, structure or combination thereof which is used for any purpose and is served by an Alarm System.
- (28) *Qualified Fire or Intrusion Alarm Technician* means any person who inspects, installs, repairs or performs maintenance of fire or intrusion alarm systems, is licensed by the State of Florida, and possesses a Burglary Alarm System Agent (BASA) or Fire Alarm System Agent (FASA) certification as required by state statute (or works under the license of an alarm contractor). For fire alarms, this

person shall be preferred to be factory trained and certified and hold a National Institute of Certification in Engineering Technologies (NICET) in fire alarms.

- (29) *Record of Completion* means a document that acknowledges the features of installation, operation, performance, service, and equipment with representation by the property owner, system installer, system supplier, service organization, and the City of Panama City Beach Fire Department.
- (30) *Report of Service/Repair* means documentation in a format acceptable to the Enforcement Official or Alarm Coordinator, or designee, that verifies proper repairs or maintenance have been performed by a Qualified Fire or Intrusion Alarm Technician including, but not limited to: work orders, service tickets, battery purchase, or documentation from a licensed contractor.
- (31) *Responder* means an individual capable of reaching an alarm site, within one hour for a fire or medical alarm and within thirty minutes for an intrusion alarm, upon receiving notice that an alarm dispatch request has been requested for an alarm site; and who can provide access and is authorized to enter the premises to ascertain the status thereof, including resetting and silencing of all equipment.
- (32) *Verify* means an attempt, as required by section 489.529, Florida Statutes, by the monitoring company to contact the alarm site by telephonic or other electronic means, whether or not actual contact with a person is made, to determine whether an alarm signal is valid before requesting police dispatch to an alarm site.
- (33) *Warning Notice/Letter* means a notification provided to the owner or person in charge of an alarm site by the Panama City Beach Police or Fire Departments for false alarms when it is determined there is no evidence of a crime, fire, medical emergency or other activity which warrants a call for immediate police, fire or emergency medical assistance due to system malfunction or when no reason can be determined for the false alarm. The warning letter will require the alarm system be inspected and serviced within five working days for fire or medical alarms and within thirty days for intrusion alarms, with written documentation submitted to the Enforcement Official or Alarm Coordinator certifying the system is in working order. Warning Notice and Warning Letter shall have the same meaning.
- (34) *Wireless Alarm System* means a burglar alarm system or smoke detector that is not hardwired and is not monitored by a Monitoring Company or otherwise.

Sec. 18-32. - Enforcement.

In lieu of assessing the service fees provided for in Article III of the City Code, the Panama City Beach Police Department or Panama City Beach Fire Department may issue code enforcement citations pursuant to the provisions of Chapter 25, of the City Code.

Sec. 18-33. - Dual Response; Fines and Service Fees Cumulative.

If the false alarm elicits a response from both the Panama City Beach Police Department and the Panama City Beach Fire Department, and such response would cause a fine or service fee to be assessed under Section 18.41 and Section 18.44, then the party responsible for the fine or service fee shall be jointy and severally liable for each service fee or fine assessed.

ARTICLE IV. - INTRUSION ALARM SYSTEMS

Sec. 18-34. - Registration.

- (1) An Alarm-User shall obtain a valid alarm registration prior to operating or causing an alarm system to be operated at an alarm site. A separate alarm registration is required for each alarm site. A registration shall expire one year from the date of issuance and must be renewed annually by the

alarm user by submitting an updated application and a registration renewal form to the Alarm Coordinator. An Alarm Company may register an alarm system on behalf of the alarm system if the Alarm Company provides written authorization of the Alarm-User.

- (2) An alarm registration cannot be transferred to another person or another alarm site.
- (3) All fees and fines owed by an applicant must be paid before an alarm registration may be issued or renewed.
- (4) Upon receipt of a completed registration application, the Alarm Coordinator shall register the applicant, unless the applicant is in arrears on a previously assessed fine for false alarms.
- (5) All alarm systems installed prior to the enactment of this ordinance shall be registered within 90 days of the effective date of this ordinance.

Sec. 18-35. - Registration Application for Intrusion Alarm Systems.

- (1) In order to be approved, an alarm registration or renewal application must include:
 - (a) the name, complete address, and telephone number of the person who will be the registration holder, be responsible for the proper maintenance and operation of the alarm system and payment of fees and fines assessed under this article;
 - (b) the classification of the alarm site as either residential or commercial. Apartments, condominiums and manufactured homes are considered residential;
 - (c) the classification of the alarm system for each alarm located at the alarm site. Classifications include, but are not limited to: burglary, holdup, bank, duress, intrusion, and panic alarms;
 - (d) whether the alarm system is audible or silent;
 - (e) the mailing address of the registration holder if different than the address of the alarm site;
 - (f) an indication of any dangerous or special conditions present at the alarm site including, but not limited to, guard dogs, weapons, chemical agents, and explosives;
 - (g) the names and telephone numbers of at least two responders; and
 - (h) the name and contact number of the alarm company and monitoring company for the alarm system at the alarm site.
- (2) Within 10 business days of any change that alters any of the information listed on the application, an alarm user shall inform the Alarm Coordinator of such change.
- (3) Any false statement of a material fact made by an applicant for the purpose of obtaining an alarm registration shall be sufficient cause for refusal to issue a registration and may subject applicant to prosecution as established by state or local law.

Sec. 18-36. - Alarm Installation Companies.

- (1) Alarm installation companies shall obtain a permit for each new alarm system installed within the City limits and pay the fee at the time of issuance of the permit. City Council will set the fee by resolution, in an amount not to exceed the amount set by § 553.793, Fla. Stat., for low voltage security alarm systems. Failure to obtain a permit will result in a fine to be assessed as set forth in section 18.41 of this Code.
- (2) In order to obtain a permit, alarm installation companies shall:
 - (a) provide written and oral instructions to each of its alarm users on how to properly use and operate the alarm systems, including instructions necessary to enable and disable the alarm systems and the practices to utilize in order to avoid activating a false alarm;
 - (b) possess a license pursuant to Chapter 489, Florida Statutes;
 - (c) only utilize alarm control panels which meet current ANSI/SIA Control Panel Standards; and

- (d) only install dual technology or better type motion and glass break detectors.
- (3) Wireless alarm systems are excluded from the permitting requirements of this section.
- (4) The City Council may change the amount of the all fees and fines in this section by resolution.

Sec. 18-37. - Monitoring Companies.

- (1) Monitoring companies shall:
 - (a) report alarm signals and alarm system registration numbers by calling telephone numbers provided by the Alarm Coordinator;
 - (b) verify alarm signals prior to requesting a response by the Panama City Beach Police Department to an alarm signal. Monitoring companies are not required to verify silent holdup, silent duress, or silent panic signals prior to requesting a response;
 - (c) call the Panama City Beach Police Department to communicate cancellations of dispatch within 10 minutes of the original request for response to an alarm signal;
 - (d) provide all available information regarding the location of the alarm signal related to the alarm dispatch request, including apartment and suite numbers. Failure to provide complete address information will result in a fine to be assessed as set forth in Section 18.41 of this Code;
 - (e) indicate whether an alarm is silent or audible and whether the alarm signal is emanating from the interior or exterior of the alarm site;
 - (f) convey all available information regarding any known dangerous, hazardous, or special conditions related to the alarm site including, but not limited to guard dogs, weapons on the property, or chemical alarms; and
 - (g) maintain all records pertaining to the dispatch of any alarm signal for a period of one year; these records shall be made available to the Alarm Coordinator within 30 days of such request.

Sec. 18-38. - Cancellation of Alarm Dispatch Requests.

- (1) The Panama City Beach Police Department will accept cancellation of alarm dispatch requests if the monitoring company makes such request within 10 minutes of the original call for an alarm dispatch. A cancellation will not be accepted from any other source.
- (2) Only an alarm user may implement the cancellation of an alarm dispatch to a monitoring company.
- (3) If cancellation is received after 10 minutes of the original request, but prior to the arrival of the Panama City Beach Police Department on scene, it will be accepted as a cancellation and the alarm user will not be subject to a false alarm fine.

Sec. 18-39. - False Alarm Notices and Warning Letters.

- (1) *False Alarm Notices.*
 - (a) Upon response by the Panama City Beach Police Department to an alarm dispatch and responding police officers determining the alarm is a false alarm, a False Alarm Notice will be left at the premises of the alarm site.
 - (b) False Alarm Notices shall include:
 - (i) The address of the false alarm site;
 - (ii) If a residence, the name of the resident(s);
 - (iii) If a business at the false alarm site, the name of the business;
 - (iv) Time of dispatch to the false alarm; and
 - (v) The names of any responders or persons encountered at the alarm site.

(2) *Warning Letters.*

- (a) After each of the first three false alarms at a residential alarm site and after two false alarms at a commercial alarm site, the Alarm Coordinator shall mail a Warning Letter to the alarm user. Each Warning Letter shall include:**
- (i) A copy of the City of Panama City Beach False Alarm Ordinance;**
 - (ii) The dates and times of each false alarm; and**
 - (iii) A requirement that the alarm system be serviced and repaired. A report of service to the alarm system shall be provided by the alarm user to the Alarm Coordinator no later than 30 days after the date of the false alarm.**
 - (iv) A notice that further false alarms shall subject the responsible party to fines as set forth in section 18-41.**

Sec. 18-40. - Exemptions.

- (1) The Alarm Coordinator shall adjust the count of false alarms at an alarm site if:**
- (a) a false alarm is caused by an act of God;**
 - (b) a false alarm is caused by the action of a telephone, cable or other type of communications company;**
 - (c) a false alarm is caused by a power outage lasting longer than 4 hours;**
 - (d) evidence is presented which indicates the alarm dispatch request was not a false alarm;**
 - (e) evidence is presented which indicates the alarm was installed improperly;**
 - (f) Panama City Beach Police Department response to the alarm site was in excess of one hour; or**
 - (g) evidence is presented which indicates the false alarm was caused by an alarm company employee, or failure of the monitoring company to cancel an alarm dispatch request.**

Sec. 18-41. - Fines.

- (1) An alarm user shall be subject to fines, based on the number of false alarms within a 12-month period calculated from the date of the alarm's registration. A false alarm shall assess a fine as set forth in this section following the City's warning procedures set forth in section 18-39 of this Code.**
- (a) An alarm user or responder who refuses to respond to the alarm site when requested to do so by Police personnel, shall be assessed a fine, as set by resolution, per dispatch request. The Alarm Coordinator shall waive this fine if: the Panama City Beach Police Department is unable to contact any persons to respond to the alarm site; when the alarm user or responder is at a distance greater than 50 miles from the alarm site; when the alarm user or responder is unable to respond to the alarm site due to a medical emergency; or any other situation in which sufficient, reliable evidence is presented to the Alarm Coordinator demonstrating an alarm user's or responder's inability to respond to the alarm site.**
 - (b) Any person operating an alarm system which is not registered as required by this Chapter shall be assessed a fine, as set by resolution, per dispatch request. The Alarm Coordinator shall waive this fine if the alarm user submits a complete registration application within 10 days of the first false alarm.**
 - (c) Any person failing to disclose the use of a chemical alarm shall be assessed a fine, as set by resolution, per dispatch request.**
- (2) Alarm installation companies shall be subject to the following fines, in an amount set by resolution:**
- (a) An alarm installation company shall be assessed a fine for failing to obtain a permit for each new alarm system installed within the City limits, except for wireless alarm systems.**

- (b) An alarm installation company shall be assessed a fine for each false alarm caused by an alarm installation company's technician. In these cases, a false alarm will not be counted against an alarm user.
 - (c) An alarm installation company shall be assessed a fine if the Alarm Coordinator determines that an alarm installation company knowingly made a false statement concerning the inspection, performance, or repair of an alarm system at an alarm site.
 - (d) Unlicensed or improperly licensed alarm installation companies found to be selling, providing, installing, servicing, or monitoring alarm systems within the City limits shall be assessed a fine per alarm system, and will be issued a Cease and Desist Order issued from the Panama City Beach Police Department requiring immediate cessation of all such activities.
- (3) Monitoring companies shall be subject to the following fines, in an amount set by resolution:
- (a) A monitoring company shall be assessed a fine for each failure to verify an alarm system signal as required by section 489.529, Florida Statutes.
 - (b) A monitoring company shall be assessed a fine for each dispatch to an alarm site known by the monitoring company at the time of the dispatch call to be a false alarm.
 - (c) A monitoring company shall be assessed a fine for each dispatch to an incomplete address, including, but not limited to omitted apartment or suite numbers, or a business name.
 - (d) A monitoring company shall be assessed a fine for failing to disclose the use of a chemical alarm or other known hazard at the alarm site when Police respond to that alarm site.
- (4) Automatic Voice Dialers. A person shall be assessed a fine for installing, maintaining, operating or using an automatic voice dialer.
- (5) Fines assessed pursuant to a violation of this section shall be set by resolution of the City Council.
- (5) All false alarm fines assessed are due and payable within 30 days from the date of invoice.
- (6) The City shall collect outstanding fees and fines pursuant to Chapter 25 of the City Code.

Sec. 18-42. - Appeals.

- (1) An alarm user may appeal the assessment of a fine to the City's Hearing Officer pursuant to Chapter 25 of the City's Code.
- (2) Upon commencement of an appeal, an alarm user shall submit a written statement providing the basis for the appeal to the City Clerk and to the Hearing Officer.
- (3) The filing of an appeal with the Hearing Officer stays the assessment of fines until the Hearing Officer makes a final decision.
- (4) If the Hearing Officer denies an alarm user's appeal, the Hearing Officer shall send written notice of the action and a statement of the right to an appeal to the applicant or alarm user and the alarm company.

Sec. 18-43. - Confidentiality of alarm information.

- (a) All information contained in documents gathered through alarm registrations, the submission of customer lists, the alarm appeal process and records relating to alarm dispatch requests must be held in confidence by all employees of the alarm administrator, city and any third-party alarm administrator. Such information is proprietary and is hereby declared confidential and not a public record. Absent special circumstances, such information must not be released to the public or any person other than a law enforcement agency, third-party administrator or the applicable alarm user, alarm installation company or alarm monitoring company except pursuant to court order.

(State Law Reference: §281.301 and §119.071(3)(a), Florida Statutes).

ARTICLE V. - FIRE OR EMERGENCY MEDICAL ALARM SYSTEMS

Sec. 18-44. - False Alarm Warning Notice; Service Fee.

- (1) Each time the Panama City Beach Fire Department responds to a false alarm due to system malfunction or when no reason can be determined for such false alarm, the Panama City Beach Fire Department shall issue a Warning Notice pursuant to section 18-39.
- (2)
 - (a) Following compliance with the Warning Notice procedure set forth in section 18-39, a service fee for excessive false alarms for Residential Premises to a single-family or two-family residence unit shall be charged as set by resolution of the City Council:
 - (b) Following compliance with the Warning Notice procedure set forth in section 18-39, a service fee for excessive false alarms for Commercial or Multi-Dwelling Premises shall be charged as set by resolution of the City Council:
- (3) No service fee shall be assessed if the false alarm is:
 - (a) Caused by an electrical storm, hurricane, tornado or other act of God where there is clear evidence of physical damage to the alarm system which caused the malfunction of the alarm;
 - (b) Caused by the intermittent disruption of telephone circuits beyond the control of the alarm site owner;
 - (c) Caused by electrical power disruption or failure in excess of two (2) hours beyond the control of the alarm site owner;
 - (d) Located at any public educational and ancillary plants, pursuant to Florida Statute § 1013.371(1)(a).
- (4) All false alarm service fees shall be assessed by way of civil citation and are due and payable within thirty (30) days from date of invoice. In the event that false alarm service fees are not paid as required by this article, The City shall collect outstanding fees and fines pursuant to Chapter 25 of the City Code.
- (5) A false alarm service fee assessed pursuant to this section may be appealed in accordance with section 18-42 of this Code.
- (6) A person commits an offense in violation of this article if such person suffers or permits false alarms in excess of three (3) for any single-family or two-family residence unit; or two (2) for any other type of occupancy, within a twelve (12) month period from either the date of commercial alarm registration or the first residential false alarm, each such false alarm constituting a separate violation.

ARTICLE VI. - REGISTRATION OF FIRE ALARM SYSTEMS

Sec. 18-45. - Registration of a Commercial Fire Alarm System.

- (1) An annual registration shall be required for a commercial fire alarm system beginning with the first prepared Record of Completion.
- (2) The Owner shall be required to re-register whenever there is a change in the fire alarm business responsible for maintaining, servicing, and/or monitoring the fire alarm system.
- (3) Registration shall not be transferable from one Premises to another or from one Owner to another.
- (4) Every fire alarm business shall notify the City of Panama City Beach of the existence of a fire alarm prior to the fire alarm system being put into operation. It shall be the responsibility of the installing fire alarm business to provide the Owner with notice of the existence of this article, a registration form and a copy of the fire alarm system operation instruction in accordance with applicable codes, and the manufacturer's instructions.
- (5) The Registration application must include:

- a) the name(s), address of the Premises, mailing address (if different from the address of the Premises), business and home telephone number of the owner, lessee, operator, manager or person in possession of the Premises wherein the fire alarm system is installed;
 - b) the name, address and telephone number of a minimum of two (2) Responders who can be notified by the Panama City Beach Fire Department in the event of the activation of the Fire Alarm System, who shall be capable of responding to the Premises within one (1) hour, and who are authorized to enter the Premises to ascertain the status thereof;
 - c) the name, address and telephone number of the fire alarm business which has contracted to service the Fire Alarm System and proof of proper state licensing/registration with the City of Panama City Beach, if required. Proof of proper state licensing may be a valid state licensing number;
 - d) the date the registration is signed or the Fire Alarm System is placed in operation for any reason; and
 - e) any other documentation that is required by applicable codes or by the Enforcement Official, or designee.
- (6) When any of the information required in Section 18.45 has changed, it shall be reported to the Enforcement Official by the Owner within fifteen (15) days of the owner becoming aware of such change.
- (7) The Owner shall complete and deliver the fire alarm system registration in the required form to the City of Panama City Beach before the fire alarm system is activated or placed into service. The fire alarm business, when authorized by the Owner, may assist the Owner in accomplishing this submission of the fire alarm registration to the City of Panama City Beach.

Sec. 18-46. - System Certification.

All newly installed or re-certified commercial Fire Alarm Systems shall be approved by the Enforcement Official. The Certification shall indicate the Fire Alarm System is in compliance with Adopted Codes. A Qualified Fire Alarm Technician shall sign the Certification.

Sec. 18-47. - Inspection, Testing and Maintenance.

The Owner shall ensure that all Fire Alarm Systems are inspected and tested at least once per year in accordance with Adopted Codes. The Owner shall ensure that all Fire Alarm Systems are periodically maintained per manufacture specifications and Adopted Codes.

Sec. 18-48. - Fire Alarm Activation; Response.

The owner shall be responsible for the activation of a Fire Alarm System. A response to the activation of a Fire Alarm System shall result when any officer or member of the Fire Department is dispatched to the Premises where the Fire Alarm System has been activated.

At the time of response, the Enforcement Official shall notify any person identified in the registration required pursuant to Section 18.45 of the activation of the Fire Alarm System and shall require such person to respond to the Premises within one (1) hour.

In the event the Fire Alarm System is a monitored system, it is the responsibility of the company monitoring the Fire Alarm System to notify any persons identified in the registration as a responder, at the request of the Enforcement Official.

After responding to Premises more than two (2) times with no responder, the Owner will be responsible for a key access box for the Panama City Beach Fire Department.

ARTICLE VII. - FIRE WATCH

Sec. 18-49. - Fire Watch.

- (1) The Enforcement Official, or designee may, due to repetitive False Fire Alarms, order a Fire Watch in accordance with Adopted Codes until corrective action is taken, or to revoke the occupancy certificate for the premises by written notice to the Owner of the Premises, for any of the following reasons:
 - (a) Failure to meet all requirements or pay the Fees provided for in this article within thirty (30) days after the notice is mailed to the Owner;
 - (b) Failure of the Owner to provide a written Report of Service/Repair required by this article;
 - (c) A third Fire Alarm or Nuisance Fire Alarm at a Premises for which a Fee is charged pursuant to this article as a result of the failure of the Owner to take corrective action to eliminate the cause of the False Fire Alarm; or
 - (d) Failure of a person notified pursuant to Section 18.48 of this chapter to appear within one (1) hour after being notified to respond, if such failure to timely respond occurs four (4) or more times within a calendar year.
- (2) A written notice requesting permission to disconnect or deactivate a Fire Alarm System shall be mailed by certified mail to the Panama City Beach Fire Department.
- (3) Each building affected because the signal from the Fire Alarm System has been disconnected or deactivated shall be required to establish a Fire Watch until the Fire Alarm System has been returned to service.
- (4) Duties of the Fire Watch may include notifying the Panama City Beach Fire Department and building occupants of an emergency or that the Fire Alarm System is out of service, preventing a fire from occurring, extinguishing small fires, and ensuring fire protection equipment is operable.
- (5) The Owner of the Premises is responsible for paying all costs associated with establishing a Fire Watch.
- (6) The Enforcement Official has the authority to temporarily suspend the occupancy certificate of the Premises until all outstanding repairs are made on the Fire Alarm System or if the Fire Watch is not maintained to the satisfaction of the Enforcement Official.
- (7) The Enforcement Official shall have the authority to direct the Owner of the Premises to silence an activated Fire Alarm System, have corrective action taken and thereafter reset the Fire Alarm System.
- (8) Anyone convicted of falsifying reports as required under this chapter is subject to maximum penalty as established by state or local law.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the

matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 12th day of November, 2020.



MARK SHELDON, MAYOR

ATTEST:



LYNNE FASONE, CITY CLERK

EXAMINED AND APPROVED by me this 12th day of November, 2020.



MARK SHELDON, MAYOR

Published in the News Herald Newspaper on the 30th day of October, 2020.

Posted on pcbgov.com on the 28th day of October, 2020.

RESOLUTION 21-31

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, APPROVING FEES FOR INTRUSION ALARM PERMITTING, FINES FOR FALSE ALARMS FROM AN INTRUSION ALARM, AND SERVICE FEES FOR FALSE FIRE ALARM RESPONSES AS PRESCRIBED BY ORDINANCE 1541.

WHEREAS, the City has established fines for false alarms and permit fees for alarm permits whereby the amount shall be set by resolution, pursuant to Ordinance 1541; and

NOW THEREFORE BE IT RESOLVED THAT, from the effective date of this Resolution, the following fees, fines and service fees pursuant to Ordinance 1541 are hereby adopted as follows:

1. Intrusion Alarm Permit Fee: \$40.00
2. Sec 18-41 Intrusion False Alarm Fines
 - a. One or Two Family Dwelling Residential Alarm User False Alarm Fines:
 - i. 1st Offense: \$250.00
 - ii. Each additional offense within 12 months of the alarm's registration date or renewal thereof: \$500
 - b. Commercial or Multi-Family Alarm User False Alarm Fines:
 - i. 1st Offense: \$500.00
 - ii. Each additional offense within 12 months of the alarm's registration date or renewal thereof: \$1,000.00
3. Sec 18-44 Fire False Alarm Service Fees:
 - a. Residential Alarm User False Alarm Fines
 - i. 1st Offense: \$250.00
 - ii. Each additional offense within 12 months of the alarm's first false alarm: \$500
 - b. Commercial Alarm User False Alarm Fines:
 - i. 1st Offense: \$500.00
 - ii. Each additional offense within 12 months of the alarm's registration date or renewal thereof: \$1,000.00

THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this 12th day of November, 2020.

CITY OF PANAMA CITY BEACH

By: 
Mark Sheldon, Mayor

ATTEST:


Lynne Fasone, City Clerk