

False Alarm Appeal Procedure

An alarm system owner who receives a notice of a false alarm and believes that notice of false alarm was improperly issued may appeal the notice to the City Legal Department within 30 days of receiving the notice. A designated hearing officer may make a determination on the information contained in the appeal form or schedule a hearing, if necessary. The hearing officer may determine the false alarm should be chargeable or non-chargeable against the alarm system owner. If the false alarm is determined to be chargeable, the penalty, if any shall be paid in full within thirty days of the date of the decision of the appeal. Any individual wishing to appeal the decision of the hearing officer may appeal that decision to Council Bluffs City Council within 10 days of the hearing officer's decision. The false alarm determination may further be appealed to Pottawattamie District Court.

False Alarm Defined: False alarm is any alarm that is activated on purpose or by accident or by system malfunction when there is no intrusion, fire, smoke or medical emergency. The City shall have full authority and discretion to determine those situations and/or circumstances that may constitute a false alarm but which are not defined below.

A. Error or Mistake: Any action by any person, firm, corporation or other entity owning or operating any dwelling, building, or place, or any action by any action by an agent or employee of said person, firm, corporation, or any other entity which results in the activation of an alarm system when no emergency exists.

B. Malfunction: Any unintentional activation of any alarm system caused by a mechanical malfunction, flaw in the design, installation, or maintenance of the system. This shall not include any activation caused by extraordinary violent conditions of nature such as tornadoes, floods and earthquakes.

C. Intentional Misuses: Any intentional activation of an alarm system when no burglary, hold-up, fire or other emergency exists or is in progress.

D. Alarms that are cancelled by the alarm company before the responding police officer arrives at the scene will not be classified as a false alarm. However, with the exception of fire alarms, if an alarm has been cancelled three (3) times during the same thirty (30) day period (month), the 4th alarm will constitute a false alarm.

CITY OF COUNCIL BLUFFS, IOWA

NOTICE OF FALSE ALARM APPEAL

V.

APPELLANT'S NAME PERMIT#

I, the undersigned, hereby state that I received notice of a false alarm which occurred on the ___ day of _____, 20__ . I feel I should not be charged with a false alarm because:

Date

Full Name

Street Address

City, State and Zip Code

Telephone Number

___ Will attend hearing

___ Will not attend hearing

If you are unable/unwilling to attend the hearing, please make sure you have explained the reason why you feel you should not be held responsible for the false alarm. Attach additional pages if needed.

This appeal will not be considered until it has been fully completed and returned to City of Council Bluffs Alarm Program. Appeal forms can be mailed to PO Box 140083 Irving, TX 75014, or faxed to 972-831-7499, or emailed to Fams_CustomerSupport@PMAM-Copsources.com.