

ORDINANCE 21-5787

**AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING
THAT THE BILLINGS, MONTANA CITY CODE (BMCC) BE
AMENDED BY ADDING SECTIONS 14-600 FOR THE
REGULATION OF FIRE/SECURITY ALARM SYSTEMS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. That the Billings, Montana City Code (BMCC) be amended by adding a new section that shall read as follows:

Article 14-600. Regulation of Fire/Security Alarm Systems

REGULATION OF FIRE/SECURITY ALARM SYSTEMS.

Sec. 14-601 Definitions. The following definitions are applicable to this section:

1. FIRE/SECURITY ALARM SYSTEM. A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of a fire/security alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals.
2. FALSE ALARM. An activated fire alarm or signal from any fire alarm system which is responded to by the fire department when no emergency situation or hazardous condition exists as determined by the responding fire officer or the fire marshal, and an activated alarm system used to detect and or verify the illegal or unauthorized entry, or other activity to which law enforcement is requested to respond, and is deemed false by responding officers.

Sec. 14-602 False Alarms.

1. No person or business owning a fire/security alarm system shall cause or permit the giving of a false alarm, whether intentional, accidental or otherwise.
2. No person shall intentionally cause the activation of a fire/security alarm system knowing that no emergency exists.
3. Fee for false alarm response. In the event the fire department, or police department, responds to a false alarm, a fee shall be imposed upon the owner or responsible person of the alarm system for the third and each subsequent false alarm at the same property in a calendar year. False alarms from fire alarm systems and security alarm systems shall be counted separately for the same location. The fee shall be set as prescribed by council resolution. Any fee payable to the City of Billings that remains unpaid 30 days after imposition of the fee is delinquent and may be assessed against the tax parcel served as a special charge for current service, or be subject to a collection agency.

Sec. 14-603 Exemptions. This section shall not apply to the following:

1. An alarm system which gives a signal solely within the interior of the building in which it is located and not monitored by a supervising station.
2. Residential fire/security alarm systems in one- or two-family dwellings.

Sec. 14-604 Appeals.

1. The owner or responsible person of a fire alarm system may appeal an assessment of a false alarm fee to the fire chief. The appeal shall be filed in writing and include justification and supporting documentation within ten (10) days of receiving notice of the fee. The fire chief may approve or deny the appeal.
2. The owner or responsible person of a security alarm system may appeal an assessment of a false alarm fee to the assistant police chief. The appeal shall be filed in writing and include justification and supporting documentation within ten (10) days of receiving notice of the fee. The assistant police chief may approve or deny the appeal.

Section 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 3. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 22nd day of November, 2021.

PASSED, ADOPTED and APPROVED on second reading this 13th day of December, 2021.



CITY OF BILLINGS

BY: William A. Cole
William A. Cole, Mayor

Attest:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk