

# AUTOMATIC ALARM SYSTEM: FALSE ALARMS MCDOWELL COUNTY

## Section 1. Definitions

**Alarm** - as used herein shall mean any electronic or mechanical device, which transmits an electronic alarm signal or recorded message to the McDowell County Communications Center indicating a fire or other incendiary occurrence.

**False Alarm** - as used herein shall mean an activation of an alarm system, which elicits a response from the fire department when no situation requiring such a response does, in fact, exist. This includes but is not limited to accidental, avoidable, and unnecessary alarm activation due to user error, equipment malfunction, and improper or unsuited equipment, but does not include alarm activation caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm user.

**Residential, Storage, Business, Assembly, Educational, Industrial, Mercantile, Hazardous, and Institutional** - as used herein shall have the meanings as set forth more fully in the occupancy classification of the North Carolina Building Code as adopted and enforced from time to time.

## Section 2. Penalty

A. If a McDowell County Fire Department shall respond to more than two (2) false alarms at the same premises or location within any consecutive thirty (30) days, McDowell Emergency Management shall issue a civil penalty citation giving notice of the violation of this section for each such false alarm within any consecutive thirty (30) days. The citation shall issue to the known owner or if different from the known owner, to the person or entity having control of such premises or location. Citations may be served in person or mailed by certified mail, return receipt requested, to the person or entity charged.

B. The amount of the penalty pertaining to false alarms is as follows:

	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence	4 <sup>th</sup> Offence	5 <sup>th</sup> Offence	6 <sup>th</sup> Offence
Residential	\$0.00	\$0.00	\$100.00	\$150.00	\$175.00	\$200.00
Business Assembly	\$0.00	\$0.00	\$300.00	\$300.00	\$400.00	\$500.00
Educational, Industrial, Mercantile, Hazardous, Institutional	\$0.00	\$0.00	\$500.00	\$750.00	\$1,000.00	\$1,250.00

Additional offences that exceed the sixth (6<sup>th</sup>) offence within the consecutive thirty (30) day period will increase based on occupancy classification.

*Residential* - \$25.00

*Business Assembly* - \$100.00

*Educational, Industrial, Mercantile, Hazardous, Institutional* - \$250.00

- C. Each citation shall impose the penalty described above and shall be paid to McDowell County within fourteen (14) days of issuance in full satisfaction of the assessed civil penalty. If the civil penalty is not paid within the time prescribed in the citation, the county may initiate a civil action in the nature of the debt to collect the such penalty.

### **Section 3. Effective Date**

This Ordinance was adopted by the McDowell County Board of Commissioners on the 13<sup>th</sup> of February, 2023 and became effective immediately.

Tony G. Brown  
Chairman of the Board of  
Commissioners  
McDowell County, NC

Victoria Craig  
Clerk to the Board of  
Commissioners  
McDowell County, NC