2026-294-0 ORD Amending Chapter 30, Article II of the Town Code of Ordinances to read as follows:

SECTION 30:36. PURPOSE

The Morrisville Town Council finds that excessive false alarms unduly burden the Morrisville Police Department's law enforcement resources. The purpose of this ordinance is to establish reasonable expectations for alarm users and to ensure that alarm users are held responsible for their use of alarm systems.

SECTION 30:37. DEFINITIONS

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:

Alarm administrator means the Police Chief or their designee who is responsible for administering the provisions of this ordinance.

Alarm company means a person, company, firm, or corporation engaged in selling, leasing, installing, servicing or monitoring alarm systems and which is licensed by the North Carolina Alarm Systems Licensing Board.

Alarm signal means a detectable signal, audible or visual, generated by an alarm system to which law enforcement is requested to respond.

Alarm system means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other activity 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.

Alarm user means 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.

Automatic dial protection device means an automatic dialing device or an automatic telephone dialing alarm system which, upon being activated, automatically initiates to the Morrisville Police Department a recorded message or code signal indicating a need for law enforcement response.

Cancellation means termination of response by the Police Department when the alarm company notifies the 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, and no penalty will be assessed.

False alarm means the activation of an alarm system when, upon inspection by the Police Department, there is no evidence of unauthorized entry, robbery, or other such crime attempted in or on the premises which would have activated a properly functioning alarm system.

Local alarm means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a structure and is not monitored by a remote monitoring facility, whether installed by an alarm company or user.

Police Department means the Police Department of the Town of Morrisville, North Carolina.

Runaway alarm means an alarm system that produces repeated alarm signals that do not appear to be caused by separate human action. The Police Department may in its discretion discontinue police responses to alarm signals from what appears to be a runaway alarm.

Verify means an attempt by the alarm system monitoring company to contact the alarm site and/or alarm user by telephone and/or other electronic means, regardless of whether actual contact with a person is made, to determine whether an alarm signal is valid before requesting law enforcement response.

SECTION 30:38. DUTIES OF THE ALARM USER

An alarm user shall:

(a) Maintain the premises and the alarm system in a manner that will reduce or eliminate false alarms; and
(b) Receive training from the alarm company on the proper use of the alarm system prior to the alarm user authorizing the alarm company to request dispatch of law enforcement and ensure that training is provided to all of the alarm user's employees or those having access to the alarm.
(c) Ensure that the system is properly maintained, provide regular maintenance, and ensure that the system is routinely inspected by the alarm company.
(d) Respond or cause a representative to respond to the alarm system's location within a reasonable time when notified by the Police Department, or their authorized representative (i.e. applicable Public Safety Answering Point/911 Communications Center).
(e) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.

SECTION 30:39. DUTIES OF THE ALARM COMPANY

An alarm company operating within the Town of Morrisville shall:

(a) Obtain and maintain the required North Carolina Alarm Systems Licensing Board licenses.
(b) Be continuously capable of providing name, address, and telephone number(s) of the alarm user or a designee, who can be called in an emergency at any time and capable of responding to an alarm call, when notified, within a reasonable time.
(c) Prior to activation of the alarm system, provide instructions explaining the proper operation of the alarm system to the alarm user.
(d) Provide written information on how to obtain service from the alarm company for the alarm system.
(e) Attempt to verify by calling the alarm site and/or alarm user by telephone to determine whether an alarm signal is valid before requesting law enforcement response. Telephone verification shall require as a minimum that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid, EXCEPT in the case of a panic or robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.
(f) Provide alarm user registration number to the Morrisville Police Department' s authorized Communications Center to facilitate dispatch and/or cancellations.

(g) Communicate any available information about the location of the alarm.
(h) Communicate a cancellation to the Morrisville Police Department, through their authorized Communications Center, as soon as possible following a determination that response is unnecessary.

SECTION 30:40. PROHIBITED ACTS

(a) It shall be unlawful to activate an alarm system to summon law enforcement when no crime is being committed or attempted on the premises, or otherwise to cause or permit a false alarm.
(b) It shall be unlawful to install, maintain, or use a local alarm system which is audible from the exterior of a structure for more than fifteen (15) minutes.
(c) 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 Police Department.
(d) It is hereby found and determined that the occurrence of three (3) or more false alarms within a 12-month period is excessive, constitutes a public nuisance, and is unlawful. The alarm user and/or owner/person responsible for the premises shall be responsible for compliance with this section.

SECTION 30:41. ENFORCEMENT OF PROVISIONS

(a) ***Civil, Non-criminal Violation.*** A violation of this ordinance shall be a civil violation and shall not constitute a misdemeanor or infraction.
(b) ***Civil Penalties*****.** Violations of any of the provisions of this ordinance will be enforced through the assessment of civil penalties established by the Town of Morrisville. Civil penalties can be found in the Town of Morrisville's fee schedule.
(c) ***Payment of Civil Penalties.*** Civil penalties shall be paid within thirty (30) days from the date of the invoice. Failure to pay civil penalties within thirty (30) days shall result in a late payment penalty as outlined in the Town of Morrisville fee schedule.
(d) ***Discontinuance of Law Enforcement Response****.* Failure of an alarm user to make payment of any civil penalty assessed within thirty (30) days from the date of the invoice may also result in discontinuance of law enforcement response to alarm signals that may occur at the premises until payment is received. The decision to discontinue law enforcement response to any alarms will be determined by the Chief of Police and the Alarm User will be notified in writing of the decision prior to the police department discontinuing response.

SECTION 30:42. APPEALS

Assessments of civil penalties and other enforcement decisions made under this ordinance may be appealed by filing a written notice of appeal with the Town Manager within fifteen (15) business days after the date of notification of the assessment of civil penalty or other enforcement decision. The failure to give notice of appeal as required shall constitute a waiver of the right to contest the assessment of penalty or other enforcement decision. The Town Manager is authorized to affirm, compromise, or waive the entire penalty based on evidence provided to them by the owner of the premises.

SECTION 30:43. CONFIDENTIALITY

The Town acknowledges that certain information obtained or compiled in registration of alarm systems may be exempt from public record disclosure requirements. In the interest of public safety, and for the protection of sensitive security information or the protection of criminal intelligence information, all information compiled by the Town of Morrisville pursuant to this ordinance shall be held in confidence by all employees and/or representatives and agents of the Town, except as otherwise required by law, by order of a court of competent jurisdiction, or as needed to enforce the provisions of this ordinance.

SECTION 30:44. GOVERNMENTAL IMMUNITY

Alarm company notification of an alarm to the Morrisville Police Department's authorized Communications Center does not create a contract, duty or obligation, either expressed or implied, of law enforcement response to an alarm or alarm notification. Any liability and consequential damage resulting from the failure to respond to an alarm notification are hereby disclaimed and governmental immunity as provided by law is retained. By using an alarm system, the alarm user acknowledges that the 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, prior response history, and other factors related to the enforcement of this ordinance.

SECTION 30:45. SEVERABILITY

The provisions of this ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

This ordinance shall be effective on January 1, 2027.