

Appendix B

Proposed Ordinance Revisions

The Private Alarm Systems Task Force recommends the following draft language for consideration by the Milwaukee Common Council as it considers revision of licensing and regulation of the private alarm business provisions of the Milwaukee Code of Ordinances. These draft ordinance provisions are consistent with the recommendations of the Private Alarm Systems Task Force.

1. The Task Force recommends that the definition of “alarm agent” be clarified and that a new definition for “sales personnel” be created.

Section 105-75-2-a of the code be amended to read:

105-75. Private Alarm Systems and Regulations.

2. DEFINITIONS.

a. “Alarm agent” means any person employed by an alarm business or central station whose duties include the altering, installing, maintaining, repairing, servicing or responding to an alarm system. >>This definition of “alarm agent” is to be distinguished from an agent for purposes of license application and representation of a licensee, and is distinguished from an agent for purposes of accepting service of process.<<

Section 105-75-2-L of the code is created to read:

L. “Sales personnel” means that person or those persons employed by, contracted by, or otherwise representing an alarm business in the sale of alarm systems, alarm monitoring services or the provision of verified response services.

2. The Task Force recommends that alarm business license applications be amended to include additional requirements for the submission of detailed plans of operation, additional information about local alarm business contacts, and certifications related to training of sales staff.

Section 105-75-3-b-8 of the code is repealed and recreated to read:

3. LICENSE REQUIRED.

b-8. The applicant shall provide a detailed plan of operation that includes, but is not limited to the following specific information:

b-8-a. The identification of any subcontracting or cooperating businesses that provide or will provide services related to systems installed or to be installed within the city

including monitoring services, responder services, repair and maintenance services, together with contact information for each.

b-8-b. Information identifying operations managers or supervisors with oversight of alarm systems installed and monitored within the city together with contact information including phone numbers, fax numbers, e-mail addresses and the contact name, phone number and any other contact information for any private first responder service engaged by the applicant.

b-8-c. A certification that all sales staff will receive a minimum of 14 hours training within the first 2 weeks of employment in sales activities.

b-8-d. A certification that a list of sales personnel will be provided to the city clerk and updated promptly when sales personnel are employed in or leave sales activities for the licensee.

b-8-e. A certification that photographs of sales personnel shall be submitted to the city clerk promptly upon engagement of sales personnel in sales activities.

b-8-f. A list of any additional services provided to the alarm user or subscriber.

3. The Task Force recommends that a new electrical license type be created for licensing of burglar and security alarm installers.

Section 222-11-1-o of the code is amended to read:

222-11. Electrical Licenses. 1. TYPES. There are established 6 types of electrical licenses as follows:

Section 222-11-1-d to f of the code is created to read:

d. Type LB low voltage (100 volts or less) burglar and security alarm system contractor's license. This license authorizes the holder to obtain low voltage burglar and security alarm system permits for work regulated by this chapter.

e. Type LF low voltage (100 volts or less) fire alarm system contractor's license. This license authorizes the holder to obtain low voltage fire alarm system permits for work regulated by this chapter.

f. Type LV low voltage (100 volts or less) contractor's license. This license authorizes the holder to obtain low voltage permits for low voltage electrical work not including the installation of a fire alarm system or burglar and security alarm system work regulated by this chapter.

Section 222-11-4-d to f of the code is created to read:

d. Type LB License. An applicant for a Type LB low voltage (100 volts or less) burglar and security alarm system contractor's license or renewal thereof shall submit an affidavit to the effect that a person holding NTS (National Training School) Level II certification will be a bona fide full-time employe of the applicant, and that such NTS Level II certificate holder will have complete and unquestionable authority and supervision over all work regulated by this chapter. The Type LB License holder shall insure that all work related to the installation of the burglar or security alarm system conducted under the license shall be performed by persons holding a minimum NTS Level I Certification or equivalent as determined by the commissioner.

e. Type LF License. An applicant for a Type LF low voltage (100 volts or less) fire alarm system contractor's license or renewal thereof shall submit an affidavit to the effect that a person holding NICET (National Institute for Certification in Engineering Technologies) Level II Fire Alarm Systems certification will be a bona fide full-time employe of the applicant, and that such NICET Level II Fire Alarm System certificate holder will have complete and unquestionable authority and supervision over all work regulated by this chapter. The Type LF license holder shall insure that all work related to the installation of the fire alarm system conducted under the license shall be performed by persons holding a minimum NICET Level I Fire Alarm Systems Certification or equivalent as determined by the commissioner.

f. Type LV License. An applicant for a Type LV low voltage (100 volts or less) contractor's license or renewal thereof shall submit an affidavit to the effect that the person holding the license will have complete and unquestionable authority and supervision over all work regulated by this chapter.

Section 222-11-5-e of the code is renumbered 222-11-5-h.

Section 222-11-5-e to g of the code is created to read:

e. Type LB License. The commissioner shall review and approve or disapprove the license or license renewal application. In the case of approval, the commissioner shall issue a Type LB low voltage (100 volts or less) burglar and security alarm system contractor license permitting the licensee to install, alter, repair, remove, renew, replace, disturb, connect, disconnect or maintain any low voltage electrical equipment associated with a burglar and security alarm system and accept payment for any of these activities. Before such license or renewal is issued, the applicant shall have on file with the commissioner a certificate of insurance as required in sub. 11 and pay the license fee required by s. 200-33.

f. Type LF License. The commissioner shall review and approve or disapprove the license or license renewal application. In the case of approval, the commissioner shall issue a Type LF low voltage (100 volts or less) fire alarm system contractor license permitting the licensee to install, alter, repair, remove, renew, replace, disturb, connect, disconnect or maintain any low voltage electrical equipment associated with a fire alarm system and accept payment for any of these activities. Before such license or renewal is

issued, the applicant shall have on file with the commissioner a certificate of insurance as required in sub. 11 and pay the license fee required by s. 200-33.

g. Type LV License. The commissioner shall review and approve or disapprove the license or license renewal application. In the case of approval, the commissioner shall issue a Type LV low voltage (100 volts or less) contractor license permitting the licensee to install, alter, repair, remove, renew, replace, disturb, connect, disconnect or maintain any low voltage electrical equipment except for fire alarm systems and burglar and security alarm system and accept payment for any of these activities. Before such license or renewal is issued, the applicant shall have on file with the commissioner a certificate of insurance as required in sub. 11 and pay the license fee required by s. 200-33.

Section (?) of the code is created to read:

Any burglar or security alarm system installation conducted under a permit obtained by a Type L low voltage licensee shall be performed by persons holding a minimum NTS Level I certification or equivalent determined by the commissioner.

(new fees)

Section 200-33-12-a-4 to a-6 is created to read:

200-33. Fees.

12. ELECTRICAL LICENSES.

a-4. Type LB Low Voltage License.

a-4-a. Original license: \$228.

a-4-b. Renewal: \$114, (renewable each year before August 31.)

a-5. Type LF Low Voltage License.

a-5-a. Original license: 228.

a-5-b. Renewal: \$114, (renewable each year before August 31.)

a-6. Type LV Low Voltage License.

a-6-a. Original license: \$228.

a-6-b. Renewal: \$114, (renewable each year before August 31.)

4. The Task Force recommends amending the ordinances providing procedures for non-renewal, suspension or revocation of a license to provide for a sanction suspending future sales.

Section 105-75-8-d-1 of the code is amended to read:

8. PROCEDURES FOR NON-RENEWAL, SUSPENSION OR REVOCATION.

d. Grounds for Non-renewal or Revocation.

d-1. Failure of the licensee to meet the municipal qualifications. >>These qualifications include, but are not limited to, compliance with the plan of operation submitted by the licensee as a part of the license application and failure of the licensee to report changes in its plan of operation.<<

Section 105-75-8-e of the code is created to read:

e. Suspension of Future Sales. If grounds exist for the nonrenewal, suspension or revocation of an alarm business license, the committee may, in the interest of public safety and welfare, recommend an alternative sanction of suspension of future sales. A suspension of future sales may be for an indefinite period or any period recommended by the committee and approved by the common council. A licensee shall have the right to review a suspension of future sales upon application for renewal of the primary license.

5. The Task Force recommends that ordinances related to prohibited systems verified response to a private alarm be clarified and provide for video or other electronic verification.

Section 105-75-11-b of the code is amended to read:

b. No alarm system>>central station, alarm service provider, or alarm provider agent,<<~~may be operated or programmed to initiate, transmit, or deliver by automatic means, >>electronic or telephonic means~~<< to any city agency, an alarm notification described as "panic", "disturbance", "police alert", medical emergency, or other miscellaneous ~~[[incidents]]~~ >>signal<< distinguished from the specific burglary, robbery (hold-up) or fire alarms.

Section 105-75-11-c of the code is created to read:

c. Transmission of Alarm. c-1 No alarm system, central station, alarm service provider, or agent of an alarm service provider, may initiate, transmit or deliver by automatic means, electronic means, or telephonic means, to any city department or agency any request for service based upon reproducible video or 2-way voice intercom system

without providing articulated and specific information in addition to the receipt of an alarm or signal, if any, that a crime is in progress or that medical or fire response is required. Requests for service initiated as the result of electronic video or audio detection shall be based upon real-time observation and not upon recorded historic observation.

c-2. Any recordings relating to reproducible video or 2-way voice intercom must be provided to the department within 24 hours and submitted as an e-mail attachment sent to a police Internet site or in such other manner as otherwise directed by the police department. Electronic files submitted under this subparagraph must be in a standard format that can be viewed using "Windows Media Player" or any other application designated by the department. The department may decline to accept files with proprietary formats or formats known as CODECs.