

ORDINANCE NO. 461

ORDINANCE AMENDING THE FOWLerville VILLAGE
CODE OF ORDINANCES BY AMENDING CHAPTER 34, *EMERGENCY SERVICES*,
ARTICLE II, *ALARM SYSTEMS*

The Village of Fowlerville ordains:

Section 1. Chapter 34, *Emergency Services*, Article II, *Alarm Systems*, Section 34-26, *Definitions*, of the Code of Ordinances, Village of Fowlerville, is hereby amended to read as follows:

Sec. 34-26. - Definitions.

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

(a) "*Alarm system*" means an assembly of equipment and devices, or a single device, arranged to signal the presence of a hazard or situation requiring urgent attention, primarily to signal visibly, audibly, electronically, mechanically or by any combination of these methods the presence of a hazard to a point and to persons not on the protected premises, and to which either the Police Department or Fire Department may be summoned directly or indirectly to respond. "Alarm system" shall include, but not be limited to, systems designed for use for one or any combination of the following: the detection of an unauthorized entry or attempted entry into a building, structure or vehicle; the alerting of others of the commission of any unlawful act within a building, structure or vehicle; the detection of fire, smoke or heat within a building, structure or vehicle; a burglar alarm, a holdup alarm, ATM alarms, or similar devices.

(b) "*False alarm*" means the activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or of his employee or agent. The term "false alarm" does not include the alarm caused by severe weather or other conditions beyond the control of the owner or lessee of an alarm system or of his employee or agent.

Section 2. Chapter 34, *Emergency Services*, Article II, *Alarm Systems*, Section 34-27, *Scope of article*, of the Code of Ordinances, Village of Fowlerville, is hereby amended to read as follows:

Sec. 34-27. - Scope of article.

(a) This Article is intended to regulate the types of alarms listed in Sec 34-26 of this Code, whether automatically or manually activated, and whether emergency personnel are summoned directly or indirectly to respond.

(b) It is intended that the term "*Alarm System*," as defined in this Article, and the scope of this Article shall exclude those devices or those pieces of equipment attached and affixed entirely within a protected premises and designed or arranged primarily to signal visibly, audibly, electronically, mechanically or by any combination of these methods, the presence of a hazard only to the occupants of the protected premises, such as single-family residence battery-operated smoke, carbon dioxide, or heat detectors, and similar devices. However, if such a system employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside the premises, or automatically summons emergency personnel, then such system shall be within the definition of an alarm system and shall be subject to this Article.

(c) Excluded from this scope of this Article are alarm systems on motor vehicles. However, if an alarm system on a motor vehicle is connected with an alarm system at a premise, then such system is an alarm shall be subject to this Article.

(d) A system which only summons medical help, and a system which monitors temperature, humidity, water levels, storm or sanitary sewers, or other environmental or manufacturing conditions, and is not directly related to the detection of a fire or an unauthorized intrusion into or robbery of a premise, then such an alarm is excluded from this Article.

Section 3. Repealer Clause. Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.


Section 4. Savings Clause. This ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order or parts thereof, hereby repealed, and this ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the Village, County or other person, either criminal or civil, that may have already occurred, accrued or grown out of any ordinance, resolution, order or policy, or any part thereof, hereby repealed. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any Ordinance, Resolution, Order or parts thereof, hereby repealed.

Section 5. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

Section 6. Effective Date. This Ordinance shall be effective twenty (20) days after its passage, or from and after its publication, whichever is later.



Carol Hill, Village President


Kathryn M. Arledge, Village Clerk

REVIEWED FOR FORM:


David G. Stoker, Village Attorney

Village Council Member Bell offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Village Council Member Heath, and upon being put to a vote, the vote was as follows:

Carol Hill, President	<u>aye</u>
Jerry Bell, Trustee	<u>aye</u>
Ken Bielous, Trustee	<u>aye</u>
Everett DeGrush, Trustee	<u>Absent</u>
Kathryn Heath, President Pro Tem	<u>aye</u>
Theresa Mailloux, Trustee	<u>aye</u>
Scott Schultheis, Trustee	<u>aye</u>

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Fowlerville this 7th day of August, 2017.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. _____ adopted by the Village Council of the Village of Fowlerville, County of Livingston, Michigan, at a regular meeting held on Monday, August 7, 2017.


Kathryn M. Arledge, Village Clerk