

IGN BY: PN  
 BY: EKK  
 BER: 28147

**POND LOCATOR  
 FOR CASTLE HILLS  
 EXHIBIT "A"**



**HUNTER ASSOCIATES TEXAS, LTD.**  
 ENGINEERS/PLANNERS/SURVEYORS  
 DALLAS      AUSTIN      FRISCO  
 214-369-9171    512-454-8718    972-712-8400

## ARTICLE IX. ALARM SYSTEMS\*

## DIVISION 1. GENERALLY

## Sec. 4-386. 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:

*Alarm site* shall mean a premises or location served by a general alarm system or CATV alarm system.

*Burglar alarm notification* shall mean a notification triggered manually or by a stimulus, intended to summon police of a municipality in response to a burglary. The term includes an alarm that emits an audible signal on the exterior of a structure.

*CATV alarm system* shall mean a device or system that transmits or relays a signal by community antenna television cable, or indirectly, intended to summon emergency police, fire or emergency medical assistance services of the city.

*Commercial unit* shall mean any business establishment.

*Director* shall mean the chief of police of the city or his authorized representative.

*Emergency medical assistance alarm notification* shall mean a notification intended to summon emergency medical assistance from the city.

*False alarm notification* shall mean a false police alert, false fire alarm notification, or false emergency medical assistance alarm notification, but shall not include a false robbery alarm notification or false burglar alarm notification.

*False burglar alarm notification* shall mean an alarm notification to the police when the responding police officer finds no evidence of unauthorized intrusion or attempted unauthorized intrusion.

*False robbery alarm notification* shall mean a robbery alarm notification to the police when the responding police officer finds no evidence of a robbery or attempted robbery.

*Fire alarm notification* shall mean a notification to the fire department intended to summon firefighting forces, which is initiated or triggered manually by an alarm system designed to react to any of the visual or physical characteristics of fire.

\*Cross references—Fire prevention and protection, ch. 5; emergency medical services, § 5-171 et seq.

State law references—Municipal regulation of burglar alarm systems, V.T.C.A., Local Government Code § 218.001 et seq.; fire alarms, V.A.T.S. Insurance Code § 5.43-2; security alarm systems, Vernon's Ann. Civ. St. art. 4413(2966).

*General alarm system* shall mean a device or system that transmits or relays a signal, indirectly, other than by community antenna television cable, intended to summon emergency police, fire or emergency medical assistance services of the city.

*Governmental unit* shall mean any tax supported entity or structure, including public buildings.

*Local alarm* shall mean a general alarm system or CATV alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a premises.

*Permit holder* shall mean the person who has received an alarm permit and is directly responsible for management and control of the alarm site. In any multiple-family dwelling unit (more than four dwelling units per building), the permit holder shall be the owner of the premises or his authorized representative, but not the individual multiple-family dwelling unit occupant.

*Police alert alarm notification* shall mean an alarm notification which does not differentiate between burglar/intrusion and robbery but is intended to summon the police whenever a real and immediate threat to life exists.

*Site* shall mean the premises upon which the alarm notification is located; multiple-family dwelling units (more than four dwelling units per building) site shall mean the entire complex at any location where all units are under single ownership or management.  
(Code 1990, § 3-10-1; Ord. No. 1661-12-91, § 1, 12-16-91)

*Cross reference—Definitions and rules of construction generally, § 1-2.*

#### Sec. 4-387. Penalties.

It shall be unlawful for any person to violate any of the provisions of this article. Any person who violates a provision of this article is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued or permitted; and each offense is punishable by a fine as provided in section 1-15.  
(Code 1990, § 3-10-15)

#### Sec. 4-388. Exclusions.

For the purposes of this article, the terms general alarm system and CATV alarm system does not include:

- (1) An alarm installed on a vehicle unless such vehicle is permanently installed at a permanent site;
- (2) An alarm designed to alert only the inhabitants of a premises; or
- (3) A general alarm system or CATV alarm system owned by the city.

#### Sec. 4-389. Other types of alarms.

(a) A person shall not install or maintain a general alarm system or CATV alarm system except for the purpose of eliciting responses to burglaries/intrusions, robberies, real and im-

mediate threat to life, fires, water flow or requests for emergency medical assistance, unless specifically authorized by the director.

(b) If innovations in alarm systems or other types of alarm devices adversely affect emergency police services of the city, the director may promulgate rules and regulations in order to protect the city's emergency police services.

(Code 1990, § 3-10-9)

**Sec. 4-390. Reporting of alarm signals restricted.**

A permit holder shall not report his alarm signal through a relaying intermediary that does not meet the requirements of this article and any rules and regulations promulgated by the director or is not licensed by the state or the appropriate agency, board or department thereof.

(Code 1990, § 3-10-6)

**Sec. 4-391. Proper alarm system operation and maintenance.**

(a) A permit holder under this article shall:

- (1) Cause an adjustment to be made to the sensory mechanism of his general alarm system or CATV alarm system in order to suppress false indications; and
- (2) Maintain premises containing a general alarm system or CATV alarm system in a manner that enables proper operation of the alarm system.

(b) No alarm permit holder shall activate the general alarm system or CATV alarm system to send an alarm notification to the police for test purposes, unless the alarm permit holder first notifies the director or his representative, and the alarm company monitoring control center prior to the testing of the system that the signal is for testing purposes only.

(Code 1990, § 3-10-7)

**Sec. 4-392. False alarms.**

(a) *Service charge.* A service charge shall be imposed for false alarms as follows:

- (1) Except as provided in subsection 4-392(a)(3), if within a 12-month period of the date of issuance of a permit, or within any successive 12-month period, one false robbery alarm or five of any other type of false alarm notifications (except a false burglar alarm) are emitted from either a residential or commercial unit, the director shall assess the permit holder in control of that alarm site a fee as cited in subsection 4-392(a)(4) for each subsequent false alarm notification emitted from the alarm site within the 12-month period.
- (2) Except as provided in subsection 4-392(a)(3), in multiple-family dwelling unit complexes, after two false robbery alarms or six of any other type of false alarm notifications are emitted from the complex within any calendar month, the director shall assess the permit holder in control of that alarm site a service charge fee cited in

subsection 4-392(a)(4) for each subsequent false alarm notification emitted from the alarm site within a 12-month period.

- (3) If within a 12-month period of the date of issuance of a permit, or within any successive 12-month period, a false burglar alarm signal is emitted from either a residential or commercial unit subsequent to the emittance of at least five other false alarms, the director shall assess the permit holder in control of that alarm site a fee cited in subsection 4-392(a)(4)a.
- (4) Service charge fees as set forth in section 2-201 shall be assessed for the following:
  - a. A false burglar alarm.
  - b. A false robbery alarm.
  - c. Any other type of false alarm notification.
- (5) No service fee shall be assessed against a governmental unit; however, a warning notice shall be issued in writing for each false alarm emitted which exceeds three false alarms in any calendar month.

(b) *Time limit to pay.* A permit holder shall pay a fee assessed under this section within 30 days after mailing of notice that fee has been assessed. The director may suspend or refuse to renew a permit for failure to pay the fee assessed.

(c) *Exemption from charges.* The permit holder will be exempt from any fee charged for a false alarm notification which is later shown to have been justified or which was due to a natural or manmade catastrophe or other situation specifically exempted by the director. (Code 1990, § 3-10-5; Ord. No. 1661-12-91, § II, 12-16-91)

**Sec. 4-393. Reset required.**

(a) A user of a general alarm system or CATV alarm system that causes an alarm notification to be sent directly to the city shall adjust or cause the adjustment of the mechanism so that upon activation, the system will transmit only one alarm signal and will not transmit another alarm signal without first being reset in such a manner that it will not automatically resound, unless there is an outside stimulus characteristic of an unauthorized intrusion.

(b) All local alarms shall be equipped with a device that silences or resets the local alarm after a 20-minute alarm sounding period. (Code 1990, § 3-10-8)

**Sec. 4-394. Indirect alarm reporting.**

A person who is engaged in the business of relaying alarm notifications to the city shall:

- (1) Send notifications of an alarm to the city by human operator, unless such notification is by a direct computer terminal.
- (2) Report alarms only over a special telephone number designated by the director.
- (3) Send alarm notifications to the city in a manner and form determined by the director.

- (4) Keep his business premises in compliance with state law.
- (5) Allow an inspection of his business premises by the director or representative.  
(Code 1990, § 3-10-11)

**Sec. 4-395. Working specifications.**

(a) CATV alarm system alarm activation and deactivation panels may be of a key or keyless configuration. They must be installed on the interior of the structure. The system shall provide for variable entrance and exit grace times which shall be incorporated into the unit.

(b) No CATV alarm system or general alarm system shall be so designed as to generate an alarm due to the premises or a particular area of the premises not being secured at the time of attempted arming. The CATV alarm system shall utilize an internal audible alert signal to notify the user that he has programmed grace period in which to deactivate the CATV alarm system upon the user's entrance. In case of power failure, all alarm circuits shall automatically convert to stand-by battery supply, capable of supplying at least 12 hours of emergency power.

- (1) Installers of general alarm systems and CATV alarm systems shall make the user aware that a permit must be obtained from the police department.
- (2) The installer shall also instruct the user regarding the operation of the system, including but not limited to, the criteria for use of the police alert button device, stressing it is for the summoning of police only in the event of a real or immediate threat to life.
- (3) The installer shall not install an alarm system contrary to the provisions of this article. Alarm systems that are installed that are contrary to the provisions of this article are in violation of this article and the installer is subject to the punishment phase of this article for the day the alarm system is installed and each day or portion of a day thereafter are separate offenses until the alarm system adheres to the provisions of this article.
- (4) Any keyless configuration activating or deactivating device which contains only a single button to activate a police alert alarm, shall provide for a design of such equipment that accidental activation will not occur and that activation is a deliberate act.
- (5) CATV alarm systems and general alarm systems shall include a delay diode which will be so engineered so as an alarm will not be sent due to momentary breaks in electrical current caused by lightning.
- (6) All electrical equipment used for the installation of CATV alarm systems and general alarm systems shall be Underwriters' Laboratories, Inc., approved.

(Code 1990, § 3-10-13)

**Sec. 4-396. Protection of financial institutions.**

(a) A financial institution required to have an alarm system pursuant to the provisions of the Bank Protection Act of 1968 (12 USC 1882) shall install that alarm system to an indirect alarm reporting agency for the purpose of reporting burglaries, robberies and fires. The alarm system may be of a local nature also.

(b) The director shall have the right, at reasonable times and upon oral notice, to inspect the alarm system at the alarm site, and require necessary repairs or improvements. If the director finds that the alarm system continually fails to operate or be operated to his satisfaction, he may terminate the permit.

(Code 1990, § 3-10-14)

**Sec. 4-397. Recorded message alarm notification prohibited.**

No permit will be issued for the use of systems using automatic telephone dialing to report an alarm condition by means of a recorded message.

(Code 1990, § 3-10-12)

**Secs. 4-398—4-415. Reserved.**

**DIVISION 2. PERMIT**

**Sec. 4-416. Required.**

A person commits an offense if he operates, or causes to be operated, a general alarm system or CATV alarm system without first obtaining from the director an alarm permit, a renewal permit, or without reinstating a suspended permit. An alarm permit may be obtained for the user of either a general alarm system or CATV alarm system by the installer of either such alarm system equipment.

(Code 1990, § 3-10-2(A); Ord. No. 1984-11-94, § I, 11-21-94)

**Sec. 4-417. Application.**

Each application for a permit required by this division must contain the following information:

- (1) Name, address and telephone number of the person who will be the permit holder and be responsible for the proper maintenance and operation of the general alarm system or CATV alarm system and payment of the fees assessed under this article.
- (2) The street address of the property on which the alarm system is to be installed and operated.
- (3) Classification of the alarm site as either residential, commercial, multifamily, or governmental unit.
- (4) Any business name or title used for the premises on which the alarm system is to be installed and operated.

- (5) The name of one other person to respond to an alarm in the event the permit holder is unavailable.
- (6) Any other information required by the chief which is necessary for the enforcement of this article.

(Code 1990, § 3-10-2(C))

**Sec. 4-418. False statements.**

Any false statement or misrepresentation of a material fact made by an applicant for the purpose of obtaining an alarm permit or renewal, or while making a change thereto, shall be sufficient cause of refusal to grant, or suspension of, a permit under this division.

(Code 1990, § 3-10-2(E))

**Sec. 4-419. Issuance.**

Upon receipt of the completed application form for a permit under this division, the director shall issue a permit unless there is cause to believe the equipment responsible for initiating an alarm will not be maintained and operated in accordance with this article or the applicant will not comply with each provision of this article.

(Code 1990, § 3-10-2(B))

**Sec. 4-420. Fee for permit, duration, renewal.**

(a) A nonrefundable fee which is set out in section 2-201 is required for each permit or renewal of a permit. One permit shall be required for each 100 units of multiple-family dwelling unit complexes, where all units are under single ownership or management.

(b) All permits shall expire 12 months from the date of issuance and no permit shall be issued for more than a 12-month period.

(c) It is the responsibility of the permit holder to pay the renewal fee prior to the expiration date. All fees owed must be paid before a permit may be issued or renewed.

(Code 1990, § 3-10-4)

**Sec. 4-421. Transfer.**

An alarm permit cannot be transferred. However, the individual designated to respond to an alarm or relay an alarm may be changed. A permit holder shall promptly inform the director of any change that alters information listed on the original permit application.

(Code 1990, § 3-10-2(D))

**Sec. 4-422. Suspension, reinstatement after suspension.**

(a) The director may suspend or refuse to renew a general alarm system or CATV alarm system permit for any violation of this article.

(b) The director may suspend or refuse to renew an alarm permit if there is a false statement of a material matter in the application for a permit.

(c) The director may suspend or refuse to renew an alarm permit if, in the director's discretion, the alarm system to be permitted or renewed has a history of unreliability.

(d) A suspension may be lifted or permit reinstated upon a sufficient showing that the conditions which caused the action have been corrected and if the director determines that the general alarm system or CATV alarm system is likely to be maintained and operated in a responsible manner in accordance with the provisions of this chapter. No fee is required to reinstate a suspended or nonrenewal permit.

(Code 1990, § 3-10-9; Ord. No. 1661-12-91, §§ III, IV, 12-18-91)

**Sec. 4-423. Appeal from denial or suspension.**

(a) If the director refuses to issue or reinstate a permit, or suspends a permit, he shall send to the applicant or permit holder, by certified mail, written notice of his action and a statement of the right to an appeal. The applicant or permit holder may appeal the decision of the director to the city manager by filing with the city manager a written request for a hearing, setting forth the reasons for the appeal, within ten days after receipt of the notice from the director. The filing of a request for an appeal hearing with the city manager stays any action of the director in suspending or denying a permit until the city manager or his designated representative makes a final decision. If a request for an appeal hearing is not made within a ten-day period, the action of the director is final.

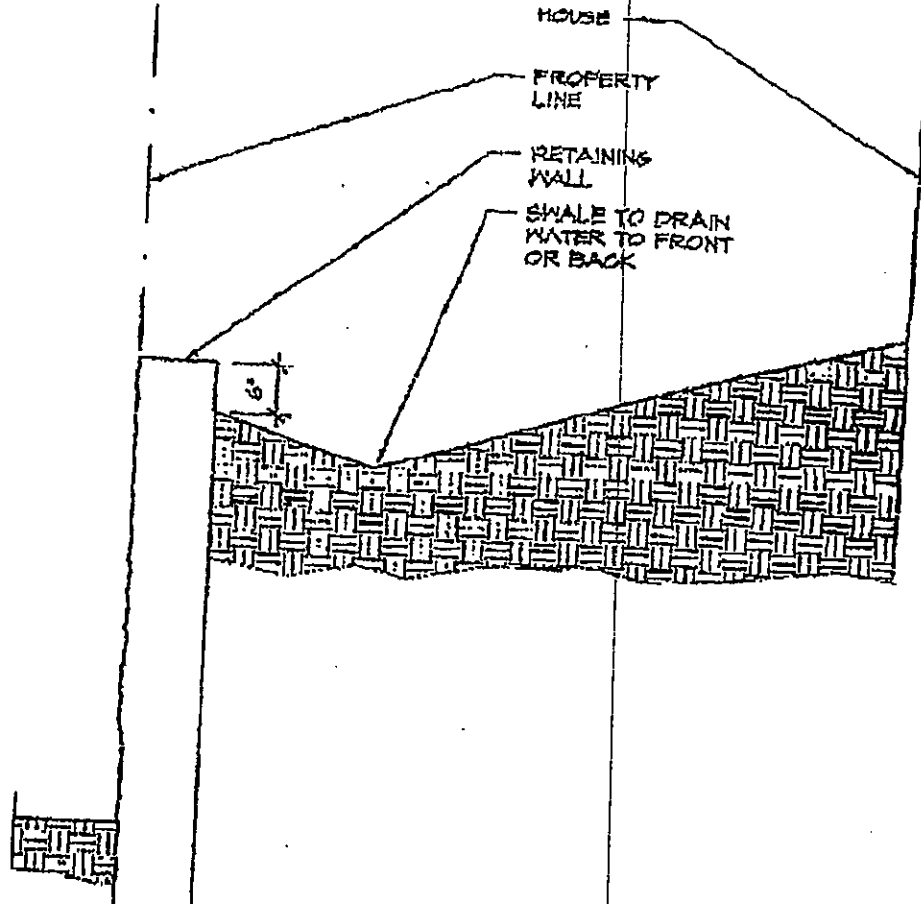
(b) The city manager or his representative shall serve as hearing officer at an appeal hearing and consider evidence by an interested person. The formal rules of evidence do not apply at an appeal hearing; the hearing officer shall make his decision on the basis of a preponderance of the evidence presented at the hearing. The hearing officer must render a decision within 30 days after the request for an appeal hearing is filed. The hearing officer shall affirm, reverse or modify the action of the director, and his decision is final, unless the applicant or permit holder files a written request for a hearing with the city council within ten days after receipt of notice of action of the hearing officer. A written request to the city council stays the action of the hearing officer in suspending or denying a permit until the city council renders a final decision.

(c) If a request for an appeal hearing with the city council is filed within the ten-day period, the city council shall hear and consider evidence offered by an interested person. The formal rules of evidence do not apply to an appeal hearing before the city council. The city council shall decide the appeal on the basis of a preponderance of the evidence presented at the hearing. The city council shall affirm, reverse or modify the action of the hearing officer by a majority vote; failure to reach a majority decision on a motion shall leave the hearing officer's decision unchanged. The result of an appeal hearing before the city council is final.

(Code 1990, § 3-10-10)

**Secs. 4-424—4-440. Reserved.**

EXHIBIT C



**DRAINAGE DETAIL  
© RETAINING WALL**

Castle Hills

Lewisville, Texas

Drainage Detail © Retaining Wall