

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING CHAPTER 16 (OFFENSES) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, BY AMENDING SECTION 16-113 “ALARM SYSTEMS – FALSE ALARMS”; PROVIDING FOR REPEAL OF ORDINANCES OF PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR CODIFICATION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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**WHEREAS**, Section 16-113 of the City’s Code of Ordinances presently regulates the operation and use of alarm systems, with guidelines concerning false alarms; and

**WHEREAS**, the City’s police department regularly respond to instances of false alarms at commercial and residential properties; and

**WHEREAS**, the City wishes to clarify the responsibilities and duties of alarm users in the City; and

**WHEREAS**, responses to false alarms creates administrative and financial burdens for the City’s police and fire departments each year; and

**WHEREAS**, the City Council desires to establish fines for repeated false alarms.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1:** That Chapter 16 (Offenses) of the Code of Ordinances of the City of Pinellas Park, Florida is hereby amended by amending Section 16-113 “Alarm Systems – False Alarms”; which said Section shall hereafter be and read as follows:

**Sec. 16-113. - Alarm Systems – False Alarms.**

(A) *Definitions.* The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Section, except where the context clearly indicated a different meaning:

*Alarm system* means any mechanical or electrical or radio-controlled device which is designed to be used for the detection of any fire, medical emergency unauthorized entry into a building, structure, or facility, or which emits a sound or transmits a signal or message when activated. Alarm systems include but are not limited to direct dial telephone devices, audible alarms and proprietor alarms. Excluded from the definition of alarm systems are devices which are designed or used to register alarms that are audible, visible or perceptible in or from any motor vehicle or auxiliary devices installed by telephone companies to protect telephone systems from damage or disruption of service.

*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 dialing device* means an alarm system which automatically sends over regular telephone lines, by direct connection, or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.

*Cancellation* means that the alarm company provides notification that response by law enforcement or emergency services is no longer being requested. If cancellation occurs prior to law enforcement or

emergency services arriving at the scene, this is not a false alarm for the purpose of civil penalty, and no penalty will be assessed.

*Commercial premises* means any structure or area which is not defined herein as residential premises. This shall not include government (federal, state, county, and municipal) and educational institutions (as defined in Florida State Statute 205.022), as well as houses of worship.

*False alarm* means the activation of an alarm system when, upon observation, there is no evidence of unauthorized entry, through mechanical failure, malfunction, improper installation, or the negligent or intentional misuse by the owner or lessee of an alarm system or by his employees, servants or agents; or by any other activation of the alarm system not caused by or because of a forced entry, robbery, attempted robbery, other forcible felony fire or medical emergency. Such terminology does not include alarms caused by acts of nature such as hurricanes, tornadoes, other severe weather conditions, or those alarms intentionally activated by an owner or lessee of an alarm system or by his servants, or agents who visually observed or heard suspicious circumstances which would cause a careful and prudent person to believe that a forcible entry, attempted forced entry, robbery, attempted robbery other forcible felony, fire or medical emergency was in progress at the premises protected by the alarm system.

*False alarm response* shall result when any Police or Fire Fighter is dispatched to the activation of an alarm system which subsequently is found to be a false alarm.

*Fee* means an assessment of costs imposed pursuant to this Section to defray the expense of responding to a false alarm.

*Fire Department official* means the Chief of the Fire Department of Pinellas Park, or his designee.

*Law enforcement officer* means the Chief of Police of the City of Pinellas Park, or his designee.

*Person* means any natural person, firm, partnership, association, corporation, company or organization of any kind.

*Residential premises* means any structure or combination of structures which serve as dwelling units including single-family, duplex and multifamily units.

(B) *Duties of the Alarm User.* An Alarm User shall:

1. Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms.
2. Respond or cause a representative to respond to the alarm system's location within a reasonable amount of time when notified by the Pinellas Park Police Department.
3. Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.
4. An alarm user that installs the system themselves (Do It Yourself or DIY) or will be monitoring it themselves (Monitor It Yourself or MIY) is subject to the same duties as described in paragraphs 1., 2., and 3. above.

(CB) *False alarms.* The following procedures apply to false alarms:

- 1. Responsibility for false alarms.* For purposes of this Section, the responsibility for a false alarm may be borne by either the owner, lessee, or person or persons occupying and/or controlling the premises at the time of the false alarm. Determination of responsibility between owners and tenants should be defined in their rental agreements, however, in the absence of specific assignment of responsibility, the person or persons occupying and/or controlling the premises on which the alarm is located will be held liable.
- 2. Fee for false alarms.* All premises, commercial, and residential, will be allowed ~~one (1)~~ three (3) false alarms within any one calendar ~~month~~ year (January 1 – December 31) period without incurring any fee. A ~~second~~ fourth, or subsequent responses to false alarms prior to cancellation

at the same premise within any one calendar ~~month-year~~ period will result in the assessment of ~~Fifty Dollars (\$50.00) fee for each additional false alarm.~~ for each false alarm response as follows:

Fourth false alarm ..... \$ 50.00

Fifth false alarm.....\$100.00

Sixth and subsequent false alarms...\$250.00

The owner/occupant will be notified in writing by the respective City of Pinellas Park Department that they have exceeded the allowed number of false alarms and that they have been assessed the ~~Fifty Dollars (\$50.00) respective fee for each false alarm.~~ In addition, the owner/occupant will be required to respond to this notification within thirty (30) days from the date of receipt citing actions taken to investigate the cause of the repeated false alarms, and corrective measures instituted to prevent their recurrence. Failure to pay the assessed fee ~~or to adequately respond to the notification~~ within the prescribed time frame will result in an additional administrative fee of ~~Twenty Five Dollars (\$25.00) for each notification or invoice~~ Fifty Dollars (\$50.00).

The allowing of a penalty assessed pursuant hereto to remain outstanding for a period of longer than thirty (30) days and not be paid, shall constitute a separate, ongoing violation of the Code of Ordinances of the City of Pinellas Park, Florida, punishable as provided in the General Penalties section of the Code.

(DE) Reporting to the premises after notification of a false alarm. When responding to an alarm, false or otherwise, at which there are no persons on the premises, the Law Enforcement/Fire Official will contact the owner/occupant to report to the premises for the purposes of resetting the alarm system.

(ED) Automatic dialing devices. It shall be a violation of this Section for any person to install, maintain, own, possess or operate any automatic dialing device alarm system regulated or programmed to make connection with any telephone number installed in any law Enforcement/Fire Department facility. A fee of Fifty Dollars (\$50.00) shall be assessed for each call completed via an automated dialing device.

(FE) Hearing Appeals. Any person who shall be notified of the assessment of any fee prescribed by this Section may, within twenty (20) days ~~of in~~ receipt of such notice, file a written appeal of such decision with the City Clerk. Within fifteen (15) days after the receipt of the written notice of appeal to the City Clerk, the City Manager shall set a hearing date, wherein such person(s) requesting the appeal may appear as well as any witnesses, and may submit evidence and show cause as to why such assessment should not be levied; provided, that the person requesting such appeal shall receive a minimum of five (5) days written notice of the hearing. Within three (3) business days after the hearing, the City Manager shall enter a written order affirming, denying, or modifying the decision of the Law Enforcement/Fire Official and such order shall be final. Copies of such order shall be provided to the person(s) making the appeal and to the Law Enforcement/Fire Official.

**SECTION 2:** That all Ordinances, or parts of Ordinances, in conflict with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

**SECTION 3:** It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the "Code of Ordinances" of the City of Pinellas Park, Florida, and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this ordinance in an appropriate place to accomplish such intention.

**SECTION 4:** This Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law.

FIRST READING \_\_\_\_\_, DAY OF \_\_\_\_\_, 2025.

PUBLISHED THE \_\_\_\_\_, DAY OF \_\_\_\_\_, 2025

PUBLIC HEARING THE \_\_\_\_\_, DAY OF \_\_\_\_\_, 2025.

PASSED THIS \_\_\_\_\_, DAY OF \_\_\_\_\_, 2025.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_, DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
Sandra L. Bradbury  
MAYOR

ATTEST:

\_\_\_\_\_  
Jennifer R. Carfagno, MMC  
CITY CLERK

# **Business Impact Estimate**

*This form must be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference: **Ordinance 2025-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING CHAPTER 16 (OFFENSES) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, BY AMENDING SECTION 16-113 "ALARM SYSTEMS – FALSE ALARMS"; PROVIDING FOR REPEAL OF ORDINANCES OF PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR CODIFICATION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

If one or more boxes are checked below, this means the City is of the view that a business impact estimate is ***not*** required by state law for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;
  - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;
  - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

**Responding to False Alarm calls by both the Fire and Police Department reduces the availability of the departments to respond to other calls for service, decreasing safety for both citizens and businesses. The proposed changes update definitions, state responsibilities of the alarm user, and allow for three (3) free false alarm calls for a property, a decrease from twelve (12) per year. The proposal also changes the fees from \$50 per false alarm response to a graduating fee from \$50 to \$250 per false alarm response while administrative fees are increase from \$25.00 to \$50.00.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

**None, unless a business has an excess of three false alarm responses per year.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

**None, unless a business has an excess of three false alarm responses per year.**

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**No increased costs, estimated revenue increases of \$5000**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

**Approximately 175 businesses had an excess of three false alarm responses in the 2025 calendar year.**

4. Additional information the governing body deems useful (if any):

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## RE: TIME SENSITIVE: Atty Doc# 25-267 - False Alarm Update -- Attorney Response

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Randy Mora <Randy@cityattorneys.legal>

Mon, Nov 3, 2025 at 1:44 PM

To: Holleigh Ekdahl-McBride <hekdahl-mcbride@pinellas-park.com>, Chief Adam Geissenberger <ageissenberger@pinellas-park.com>, Mike Linqvist <mliquist@pinellas-park.com>

Cc: Risk Management <riskmanagement@pinellas-park.com>, City Clerks <CityClerk@pinellas-park.com>, City Legal <citylegal@pinellas-park.com>, Zoe Rawls <zoe@cityattorneys.legal>, "James W. Denhardt" <denhardtlaw@aol.com>

Holleigh,

Please see the attached ordinance with suggested revisions. The most substantive recommended revision that is not captured in track changes is the recommendation the City add some whereas clauses to the beginning of the ordinance that explain why the City is enacting this Ordinance. For example:

- **WHEREAS**, Section 16-113 of the City's Code of Ordinances presently regulates the operation and use of alarm systems, with guidelines concerning false alarms; and
- **WHEREAS**, in 2025 [or other recent relevant period for which data is available] the City's police department responded to at least X number of false alarm reports; **or WHEREAS** the City's police department regularly respond to instances of false alarms at commercial and residential properties; and
- **WHEREAS**, the City wishes to clarify the responsibilities and duties of alarm users in the City; and
- **WHEREAS**, responses to false alarms creates administrative and financial burdens for the City's police and fire departments each year; and
- **WHEREAS**, the City Council desires to establish fines for repeated false alarms.

**NOW, THEREFORE. . .**

With the limited recommended revisions, this is otherwise approved as to form.

Respectfully,

Randy Mora

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**From:** Carmen Ferrer <cferrer@pinellas-park.com>

**Sent:** Wednesday, October 29, 2025 2:07 PM

**To:** City Legal <citylegal@pinellas-park.com>; Randy Mora <Randy@cityattorneys.legal>; Zoe Rawls

<zoe@cityattorneys.legal>; James W. Denhardt <[denhardtlaw@aol.com](mailto:denhardtlaw@aol.com)>

**Cc:** Risk Management <[riskmanagement@pinellas-park.com](mailto:riskmanagement@pinellas-park.com)>; City Clerks <[CityClerk@pinellas-park.com](mailto:CityClerk@pinellas-park.com)>

**Subject:** TIME SENSITIVE: Atty Doc# 25-267 - False Alarm Update

Good afternoon,

Please see the attached document for your review.

Thank you,

*Carmen Ferrer*

**Deputy City Clerk**

City Clerk Office

[5141 78th Avenue N](#)

[Pinellas Park, FL 33781](#)

Phone: (727)369-0618



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## 2 attachments



**Atty Doc. 25-267 - False Alarm Update.pdf**  
345K



**2025-11-03 25-267 REVISED zr v.1 (003).docx**  
38K



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**Fwd: TIME SENSITIVE: Atty Doc# 25-267 - False Alarm Update**

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**Risk Management** <riskmanagement@pinellas-park.com>

Wed, Oct 29, 2025 at 4:59 PM

To: City Clerks &lt;CityClerk@pinellas-park.com&gt;, City Legal &lt;citylegal@pinellas-park.com&gt;

Cc: LaSharon Hampton &lt;lhampton@pinellas-park.com&gt;, Minh Huynh &lt;MHuynh@pinellas-park.com&gt;, Risk Management &lt;riskmanagement@pinellas-park.com&gt;, Michael Linquist &lt;MLinquist@pinellas-park.com&gt;, Holleigh Ekdahl-McBride &lt;hEkdahl-McBride@pinellas-park.com&gt;, Matthew Pruitt &lt;mpruitt@pinellas-park.com&gt;

The attached Ordinance revision has been reviewed by the Human Resources Department. We have no comments regarding risk exposure.

Thank you.

Risk Management Division  
City of Pinellas Park

Pinellas Park, FL 33781  
Phone: 727-369-0639

----- Forwarded message -----

From: **Carmen Ferrer** <cferrer@pinellas-park.com>

Date: Wed, Oct 29, 2025 at 2:07 PM

Subject: TIME SENSITIVE: Atty Doc# 25-267 - False Alarm Update

To: City Legal &lt;citylegal@pinellas-park.com&gt;, Randy Mora &lt;Randy@cityattorneys.legal&gt;, Zoe Rawls &lt;zoe@cityattorneys.legal&gt;, James W. Denhardt &lt;denhardtlaw@aol.com&gt;

Cc: Risk Management &lt;riskmanagement@pinellas-park.com&gt;, City Clerks &lt;CityClerk@pinellas-park.com&gt;

Good afternoon,

Please see the attached document for your review.

Thank you,

***Carmen Ferrer***  
**Deputy City Clerk**

City Clerk Office  
5141 78th Avenue N  
Pinellas Park, FL 33781  
Phone: (727)369-0618



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**2 attachments****Atty Doc. 25-267 - False Alarm Update.pdf**  
345K**ORD Sec. 16-113 Alarm systems—False alarms first draft.docx**  
32K