

ORDINANCE BILL NO: 1 for 1996

ORDINANCE NO. 1092

AN ORDINANCE PERTAINING TO ALARM CONTROL AND DECLARING AN EMERGENCY.

The City of Sweet Home does ordain as follows:

Section 1. Definitions.

- 1) Alarm business - The Business by any individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any burglar, or robbery / panic alarm system, or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed, any said alarm system in or on any building, structure or facility.
- 2) Alarm system - Any assembly of equipment, mechanical or electrical, arranged to signal the presence of intrusion, illegal activity or other activity requiring urgent attention.
- 3) Alarm user - The person, firm, partnership, association, corporation, company or organization, of any kind, in control of premises wherein an alarm system is operating.
- 4) Automated dialing device - A device which is interconnected to a regular telephone line and is programmed to select a particular phone number so that a prerecorded voice message or a signal indicating the existence of a situation detected by an alarm system may be transmitted to the selected telephone. As used in this section, Automatic dialing device includes any mechanical or electrical device wired through telephone lines into the Law Enforcement Communications Center for the purposes of advising of a burglary, robbery or other emergency situation.
- 5) False alarm - An alarm signal necessitating response by the emergency services personnel where an emergency situation does not exist. Alarm signals occurring due to violent acts of nature or other extraordinary circumstances not reasonably subject to control by the alarm user are not false alarms.
- 6) Interconnect - To connect an alarm system including an automated dialing device to a telephone line, either directly or through a mechanical device that utilizes a telephone circuit, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.
- 7) Law Enforcement Communications Center - The facility operated by the Sweet Home Police Department and used to receive emergency and general information from the public.

Section 2. Alarm user permits required.

- 1) All alarm users shall obtain an alarm user's permit from the Sweet Home Police Department upon activating an alarm system. Systems using robbery / panic and burglar alarm capabilities are required to obtain a permit for each function. Application of the burglar or robbery / panic alarm permit and a \$5.00 fee for each must be filed with the Chief of Police for each year or part thereof. All permits shall expire on the date of December 31. Each permit shall bear the signature of the issuing official and the Chief of Police and shall be valid for a period not to exceed one year. The

permit shall be physically upon the premises using the alarm system and there available for inspection by the Chief of Police or his designee.

2) Residential alarm users over the age of 65 and being the principal occupants of the premises wherein no business is conducted are not required to pay the \$5.00 permit fee but are required to obtain a permit.

3) Applications for permits more than 60 days after the need for such permits are required shall require the payment of an additional \$5.00 permit fee per alarm.

Section 3. Application for Permit.

An applicant for a permit shall submit the application to the Sweet Home Police Department. The application shall include the following information:

- 1) The street address and telephone number of the location where the alarm system is to be used.
- 2) The name, home address and home telephone number of the alarm user.
- 3) The name and address to which notices should be mailed.
- 4) Whether the alarm is a burglary alarm or a robbery / panic alarm and whether the alarm or the alarms are audible, silent or both.
- 5) If the alarm is audible, whether it is designed to automatically reset after a certain number of minutes, and if so, the period of time it is designed to function before automatically resetting.
- 6) In the order of their priority, the name, address and telephone number of at least three (3) persons, including the alarm user, who can be contacted in the event of an alarm to assist the police in turning off the alarm or investigating any suspected criminal activity.
- 7) If applicable, the type of business at the alarm system location.
- 8) If applicable, the type of residence such as a house, condominium, apartment or other, at the alarm system location.
- 9) The alarm user's date of birth, if over the age of 65 and requesting an exemption from the permit fee.
- 10) If so equipped, the location and type (door, movement, etc.) of alarm within a complex.

Section 4. Duties of every alarm business.

1) Every alarm business selling or leasing to any user an alarm system which is installed upon premises located within the City limits shall furnish that person with instructions that provide adequate information to enable persons using such equipment to operate it properly and where to obtain service for the equipment at any time.

2) If the Chief of Police determines in the Chief's reasonable discretion that such information is incomplete, unclear or inadequate, the Chief may require the alarm business to revise the information to meet the Chief's approval and then distribute the revised information to alarm users.

3) Every alarm business selling or leasing to any user an alarm system which is installed upon premises located within the City limits shall furnish that person with information regarding the need for an alarm user permit, including an application and fee schedule.

Section 5. Duties of alarm user.

1) As soon as possible upon request by a Police Agency or the Alarm Business, the alarm user, or a designee, shall respond to the alarm location to assist the police in turning off the alarm or investigating any suspected criminal activity.

Section 6. Unauthorized automatic dialing devices.

It is unlawful for any person to program an automatic dialing device to select a telephone line assigned to the Law Enforcement Communications Center, and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to select, or transmit to the Law Enforcement Communications Center telephone line, within 24 hours of notice that it is so programmed.

Section 7. Sound emission cut off feature.

Alarm systems which emit audible sound which can be heard outside the building, structure or facility of the alarm user, shall be equipped with a sound emission cut off feature which will stop the emission of sound 15 minutes or less after the alarm is activated.

Section 8. False alarms.

Signals from an alarm system which are false alarms are hereby declared to be a public nuisance. The user may have an allowance for three false alarms occurring within a period of time starting from the date an alarm permit is issued until it expires. The fourth false alarm within that period shall be subject to a service charge of \$20.00 charged to the user of the alarm system. Subsequent false alarms within that period shall be charged as follows: fifth false alarm \$40.00; sixth false alarm \$60.00; seventh false alarm \$80.00; and eighth and every subsequent false alarm \$100.00. Payment of service charges are payable within 60 days of notification that such charges are due. In addition to any and all other penalties provided for herein, failure to pay the assessed service charge shall result in the user's permit being suspended.

Section 9. Alarm equipment testing.

Whenever a user of an alarm system deems it necessary to test or otherwise intentionally set off or activate an alarm system located on user's premises, the user shall notify user's monitoring station that he or she intends to test or otherwise intentionally activate that alarm prior to actual tests being conducted. Audible only alarm users, which are not monitored by an alarm business, shall first notify the Sweet Home Police Department of the intent to test. Failure to do so will result in the user being considered as having had a false alarm.


Section 10. Violation and enforcement.

Violation of this Ordinance constitutes an infraction and may be prosecuted under Sweet Home Municipal Code Chapter 9.36 as now enacted or hereafter amended.

Section 11. Emergency Clause.

Whereas, it is necessary, and it is for the interest and benefit of the City that this ordinance become effective immediately, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect after the passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 27th day of February, 1996.



Mayor

ATTEST:



City Manager - Ex Officio City Recorder