

## Chapter 15.12 ALARM SYSTEMS

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### **15.12.010 Purpose.**

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The purpose of this chapter is to reduce false alarms and to regulate burglary, robbery, fire and fire protection and medical attention alarm systems, and alarm businesses, agents and users. (Ord. 1162 § 2 (part), 1990)

### **15.12.020 Definitions.**

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For the purposes of this chapter, words and phrases used in this chapter are defined as follows:

- A. "Alarm agent" means a person employed by an alarm business, either directly or indirectly, whose duties include selling, leasing, altering, installing, maintaining, moving, repairing, replacing, servicing, responding to or monitoring an alarm system, or a person who manages or supervises a person employed by an alarm business to perform any of the duties described herein.
- B. "Alarm business" means any business held by an individual, partnership, corporation or other entity for the purpose of selling, leasing, altering, installing, maintaining, moving, repairing, replacing, servicing, responding to or monitoring any alarm system in a building, structure or facility.
- C. "Alarm system" means any mechanical or electronic device or series of devices which transmits a signal or message, either directly or indirectly, to the emergency dispatch center, or which emits an audible or visual signal at the alarm location, and which is designed to:
  - 1. Detect unauthorized entry into any building, structure or facility;
  - 2. Signal the occurrence of an unlawful act upon the premises;
  - 3. Detect a fire, or detect activation, equipment problems or the malfunction of a fire protection system;
  - 4. Detect a hazardous material leak or system malfunction; or
  - 5. Signal the need for medical attention.

For purposes of this chapter, devices operated by the city or devices which are not designed or used to register alarms that are audible, visible or perceptible outside of the protected premises are not included within the meaning of alarm system.

- D. "Alarm user" means the person, firm, partnership, association, corporation or organization of any kind that owns, leases, rents, uses or makes available for use by its agents, employees, representatives or family any alarm system.
- E. "Chief of police" means the chief of police of the city of San Luis Obispo, or his/her designated representative.
- F. "City" means the city of San Luis Obispo.
- G. "Day" means calendar day.

H. "Department head" means the chief of police, the fire chief or their designated representatives.

I. "Direct dial system" means an alarm system which is connected to a telephone line and, upon activation of an alarm system, automatically transmits a message or signal to the emergency dispatch center indicating a need for emergency response.

J. "Emergency dispatch center" means the combined police and fire communications and dispatch center located at the police department facility.

K. "False alarm" means an activation of an alarm system through mechanical failure, malfunction, improper installation or maintenance, or negligence of the alarm user when an emergency situation does not exist. A determination as to whether an alarm signal was a false alarm or an actual alarm shall be made by the appropriate department head. "False alarms" shall not include those alarms activated by extraordinary meteorological, atmospheric or other conditions or means as determined by the department head.

L. "Finance department" means the finance department of the city of San Luis Obispo.

M. "Fire chief" means the chief of the fire department of the city of San Luis Obispo or his/her designated representative.

N. "Notice" means written notice given by personal service upon the addressee or given by United States mail, postage prepaid, addressed to the person to be notified at his or her last known address. Service of such notice shall be effective upon the completion of personal service or upon the placing of the same in the custody of the United States Postal Service.

O. "Private alarm dispatch center" means a center maintained by an alarm business which receives emergency signals from alarm systems, and thereafter, immediately relays the message by live voice to the emergency dispatch center.

P. "Responsible department" means the city department having the responsibility of providing emergency services upon receipt of an alarm signal at the emergency dispatch center. For incidents related to fires, or waterflow in fire sprinkler systems, or other extinguishing agents in fire protection systems, as well as medical attention, the fire department is the responsible department. For incidents related to burglary, robbery, unauthorized building entry, etc., the responsible department is the police department. (Ord. 1162 § 2 (part), 1990)

### **15.12.030 Alarm system standards.**

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#### **A. In General.**

1. The council, upon recommendation of the chief of police or fire chief, may prescribe by resolution minimum standards and regulations for the construction and maintenance of all alarm systems installed in the city. All equipment shall meet or exceed these standards and regulations.

2. No alarm system shall be installed unless the alarm user has either a service agreement with an alarm business qualified under this chapter or has available a designated person who will respond to the site of an activated alarm with the ability to deactivate the alarm.

**B. Audible Alarm Systems.** No audible alarm system shall be installed or used unless it shall have an automatic reset capability which shall silence the alarm within fifteen minutes of activation.

#### **C. Silent Alarm Systems.**

1. No direct dial systems shall be allowed within the city.

2. All silent alarm systems shall be connected to a private alarm dispatch center. (Ord. 1162 § 2 (part), 1990)

**15.12.040 Alarm business standards.**

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A. Alarm businesses operating within the city shall comply with all state licensing requirements and operate in accordance with the standards set forth in the State Alarm Company Act as to conduct of business and qualification of employees, including alarm agents.

B. No person or company which installs, or otherwise provides, an alarm system shall install such device or system without the ability to provide twenty-four-hour service for that system. "Service" for the purposes of this section shall include the ability to promptly repair a malfunctioning alarm system and, in any event, a service response to the alarm location shall be accomplished within thirty minutes of a request for service. "Service" shall also include the ability to provide periodic maintenance necessary to assure normal functioning of the system. This section shall not apply to persons or businesses who merely sell from fixed locations, or who manufacture alarm systems, unless such persons or firms also install, monitor or service such systems.

C. Any alarm business operating a private alarm dispatch center shall, within one minute of receiving notice that an alarm has been activated, notify the emergency dispatch center of the activation. Notification shall normally be made via a designated one-way telephone line which is dedicated solely to the reporting of such notifications.

D. Each alarm business that monitors fire alarm systems must comply with all sections of National Fire Protection Association Bulletin #71-1988 and as amended.

E. It shall be the duty of the alarm business to cooperate fully at all times with the city and its employees. Every alarm business shall, upon request during normal hours of business, make any and all records and information in its possession relating to alarm systems operating within the city available to personnel authorized by the chief of police or fire chief. Each alarm business must possess a valid city business license. (Ord. 1162 § 2 (part), 1990)

**15.12.050 Alarm use standards.**

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A. 1. All existing and prospective users of alarm systems shall obtain an alarm user permit approved by the responsible department head within sixty days following the effective date of the ordinance codified in this chapter, or prior to the installation and use of an alarm system, as the case may be. A separate permit shall be required for each separate alarmed building or facility and for each separate alarm system. Application for the permit, and a fee as established by council resolution, must be filed for each year or part thereof. Each permit application shall contain the current name, address, telephone number and signature of the individual accepting responsibility for the proper functioning and maintenance of the alarm system covered by the permit. A copy of the permit shall be posted upon the premises where the alarm system is installed. Each permit will bear the signature of the issuing official and the chief of the responsible department. All permits shall expire one year after the date of issuance.

2. Application for permits more than sixty days after the need for such permit arises shall require the payment of a one hundred percent penalty fee.

B. The alarm user shall, at all times, insure that the emergency dispatch center is in possession of a minimum of three names, telephone numbers and home addresses of persons with twenty-four-hour access to the alarm location and the alarm system who are authorized to and will respond to the location where an alarm has been activated. The response shall be within a reasonable time and, in any event, within thirty minutes of being requested to do so. At any time that one of these persons no longer possesses such access to the alarm location, the alarm user shall immediately notify the emergency dispatch center and, in any event, this notification shall be made within forty-eight hours of the time at which the person no longer possesses access to the location.

C. 1. It shall be the duty of the alarm user to properly use the alarm system and to maintain it mechanically and technically to insure safe and responsible operation and minimize the number of false alarms. If the chief of police or fire chief determines that a system lacks in quality, components, servicing, or is improperly used by the alarm user, he/she may require that modifications be made to the system to make it comply with this chapter.

2. False alarms shall be considered excessive when they exceed three activations in any twelve-month period.
3. As provided by resolution of the city council, a fee shall be paid to the city by each alarm user for excessive false alarms. The police chief or fire chief shall cause to be issued a monthly bill for the unpaid fees accrued during any monthly billing period and any prior periods. Such bills shall be due and payable within thirty days after the billing date.
4. A penalty of fifteen percent shall be added to the fees required by this section in connection with any fees not paid in the time and manner set forth above.
5. The amount of any fee and late penalty assessed pursuant to this chapter shall be deemed a debt to the city and an action may be commenced in the name of the city in any court of competent jurisdiction in the amount of the delinquent debt. Payment of any user fees and late charges shall not prohibit criminal prosecution for the violation of any provisions of this chapter. (Ord. 1162 § 2 (part), 1990)

#### **15.12.060 Enforcement and appeals.**

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- A. Revocation. In addition to other remedies provided, the department head of the responsible department may revoke an alarm user's permit for a violation of this chapter.
- B. Civil Penalties. For violations of this chapter, the department head of the responsible department may assess a civil penalty of up to five hundred dollars for each violation.
- C. Criminal Penalties. A violation of this chapter is punishable as a misdemeanor.
- D. Appeals. The decision of a department head to revoke an alarm user's permit or to assess a civil penalty may be appealed to the city council. All appeals must be filed within thirty days of receipt of notice of the department head's action. (Ord. 1162 § a (part), 1990)