

Council accepts comments on agenda items during the meeting. Please fill out a yellow form and identify the item you wish to speak on and hand this to the Recording Secretary prior to the meeting, if possible. Otherwise, please fill out the form prior to the agenda item you wish to speak on and turn it in to the Recording Secretary. (The exception is formal land use hearings which require a specific public hearing process. The agenda items will be identified at the meeting.)

**CITY OF NEWBERG
COUNCIL AGENDA
MONDAY, DECEMBER 16, 1996
7:00 P.M. MEETING
NEWBERG PUBLIC LIBRARY**

I. CALL MEETING TO ORDER

II. ROLL CALL

III. CONSENT CALENDAR

IV. PUBLIC HEARING

V. CONTINUED BUSINESS

VI. NEW BUSINESS

1. **Ordinance No. 96-2460** repealing Ordinances Nos. 1951, 1721 and 2203, relating to public alarm systems and establishing alarm system requirements, permits and false alarm fees.

VII. REPORTS FROM CITY MANAGER AND OTHER AGENCIES

VIII. COMMUNICATIONS FROM THE FLOOR

X. EXECUTIVE SESSION

XI. ADJOURNMENT

INDEX OF RESOLUTIONS AND ORDINANCES:

RESOLUTIONS:

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CITY COUNCIL AGENDA
DECEMBER 16, 1996

ORDINANCES:

1. **Ordinance No. 96-2460** repealing Ordinances Nos. 1951, 1721 and 2203, relating to public alarm systems and establishing alarm system requirements, permits and false alarm fees.

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: *In order to accommodate persons with physical impairments, please notify the City Manager's office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 48 hours prior to the meeting. To request these arrangements, please contact Rebecca Manning at (503) 538-9421.*

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REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: November 14, 1996		MOTION
DATE ACTION REQUESTED: December 2, 1996		RESOLUTION
SUBJECT: Ordinance repealing Ordinance Nos. 1721, 1951 and 2203 pertaining to the establishment of alarm system requirements, permits and false alarm fees.	X	ORDINANCE No. 96-2460
		INFORMATION

RECOMMENDATION:

Approve Ordinance No. 96-2460 pertaining to the establishment of alarm system requirements, permits and false alarm fees.

BACKGROUND:

- The City previously had Ordinance No. 1721 and Ordinance No. 1951 concerning alarm systems.
- Improperly installed, maintained or operated alarms result in false alarms, which create a significant drain on police, fire and 9-1-1 personnel.
- Last year, there were reported 1371 man hours used in 365 responses for alarms. This Ordinance provides for the homeowners to obtain an alarm permit with requirements.

FISCAL IMPACT: Unknown.

STRATEGIC ASSESSMENT: N/A

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Terrence D. Mahr, City Attorney

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Duane R. Cole, City Manager

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ORDINANCE NO. 96-2460

AN ORDINANCE REPEALING ORDINANCE NOS. 1951, 1721 AND 2203, RELATING TO PUBLIC ALARM SYSTEMS AND ESTABLISHING ALARM SYSTEM REQUIREMENTS, PERMITS AND FALSE ALARM FEES.

RECITALS:

1. Improperly installed, maintained or operated alarms result in false alarms, which create a significant drain on police, fire and 9-1-1 communication resources.
2. The Ordinance/Legislative Committee reviewed the Ordinance on October 23, 1996 and again on November 20, 1996, and unanimously recommended approval of the Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWBERG, AS FOLLOWS:

SECTION 1 DEFINITIONS

As used in this ordinance, the following mean:

Alarm System: A device or system of interconnected devices, including hardware and related accessories, designed to give warning of a fire, burglary, robbery, medical emergency, or other hazardous conditions occurring on the protected premises, except residential smoke detectors which are not connected to a receiving panel at an alarm reception point and does not emit sound outside the residence or business.

Automatic Dialer: A device programmed to select a telephone number and deliver a warning message or signal over standard telephone lines.

Digital Communicator: An automatic dialer specially designed and programmed to deliver an alarm signal to compatible receiving equipment located at an alarm reception point by telephone line or comparable communications device.

Emergency Communications Center: The Newberg 9-1-1 Communications Center, used to receive transmissions and general information from the public to be dispatched to the respective entities utilizing the center.

False Alarm: Any activation of any alarm system which results in the dispatch of police or fire personnel to the protected premises where they are unable to discover any evidence of an emergency condition, but it does not include an alarm signal caused by conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm user.

Hard-wired system: An alarm system that detects and transmits alarms using direct leased lines to a receiving panel at an alarm reception point.

Local alarms: Systems or devices that sound audibly on the premises of the user, but are not connected to a receiving panel at an alarm reception point.

Protected premises: All of that contiguous area including buildings protected by a single alarm system and under common ownership and use.

Persons: Any alarm user, be it a natural person, firm, partnership, association, corporation, company, or organization, profit or nonprofit, public or private.

SECTION 2 GENERAL SYSTEM REQUIREMENTS

- A. No alarm system shall be installed, used, or maintained in violation of any of the requirements of adopted provisions of the Uniform Fire Code or of any applicable statute, law, or administrative regulation of the state or of the city.
- B. Any alarm user required by federal, state, county, or municipal statute, regulation, rule, or ordinance to install, maintain, and operate an alarm system shall be subject to this ordinance.

SECTION 3 AUTOMATIC DIALER AND DIGITAL COMMUNICATOR RESTRICTIONS

- A. Any alarm system which incorporates an automatic dialer shall not be programmed to call any police, fire or emergency communications center phone line.
- B. The city may permit a digital communicator to be programmed to select an emergency communications center phone line. Any digital communicator system permitted to select an emergency communications center phone line shall be programmed to select a phone line specifically designed for that purpose. The alarm equipment must be compatible with the reception equipment at the emergency communications center. An installation fee of \$200.00 shall be submitted with the alarm system permit application. This is a non-refundable fee, charged to provide installation and module equipment at the communications center.

SECTION 4 TRAINING REQUIREMENTS

The holder of an alarm system permit shall be responsible for training and retraining of employees, family members, and other persons who make regular use of the protected premises and who may, in the normal course of their activities, be in a position to accidentally trigger an alarm device. Such training shall include procedures to avoid accidental alarms and steps to follow in the event the system is accidentally triggered.

SECTION 5 MAINTENANCE AND REPAIR RESPONSIBILITY

The holder of an alarm system permit shall, at all times, be responsible for the proper maintenance and repair of the system and for the repair or replacement of

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any component, method of installation, design feature, or like condition which may rise to a false alarm.

SECTION 6 TESTING OF SYSTEMS

All alarm system testing shall be conducted in accordance with the following: All service and tests of any alarm system that may result in transmission of alarm signals to the emergency communications center shall be conducted only after notification to the emergency communications center of the intention to conduct such service or tests. Failure to so notify will result in a false alarm assessment.

SECTION 7 RESPONSIBILITY FOR ALARM DEACTIVATION

All permit holders shall furnish and update names and phone numbers of at least two (2) responsible persons having access to the premises who may be notified to assist personnel in the event the alarm is activated. Responsible persons must be capable of deactivating the alarm system.

SECTION 8 SOUND LIMITATIONS

Local alarms other than fire alarms shall not make a sound similar to that of sirens on emergency vehicles or of civil defense warning systems. Owners of local alarms shall be responsible to maintain and turn the alarm system off in case of malfunction. No local alarm sounding device shall sound for more than five minutes and shall incorporate an automatic cutoff.

SECTION 9 PERMIT REQUIRED

No person shall install, use, or maintain any alarm system without first obtaining a permit for such system from the city. Systems approved and installed prior to the adoption of this ordinance shall be governed by such rules and regulations contained in this ordinance.

SECTION 10 PERMIT: APPLICATION, ISSUANCE

- A. Each application for an alarm system permit shall be made on a form prescribed by the city.
- B. Each permit application shall be accompanied by the fee prescribed in Section 11 of this ordinance.
- C. Upon receipt of the permit application and fee, the city shall undertake such investigation as is deemed necessary. If it appears that the proposed system will comply with the provisions of this ordinance and any other applicable rules and regulations, the city shall issue to the applicant a permit bearing an identifying number and specifying the type of alarm system for which it is issued.

SECTION 11 FEE SCHEDULE

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~~A. The fee for permit application is \$10.00. Permit fees for systems approved and installed prior to the adoption of this ordinance shall be waived if issued prior to July 1, 1997.~~

~~B.A~~ \$50.00 charge shall be assessed in addition to the fee provided in Subsection A. of this section if the user fails to obtain a permit prior to activation of the alarm.

~~C.B~~ Fees, including false alarm fees and permit applications shall be established and subject to revisions by resolution of the City Council. ~~over time as conditions merit.~~

~~D.C~~ False Alarm Fees:

~~(a) First four false alarms during a calendar year, no charge;~~

~~(b) For each false alarm thereafter, \$50.00 per alarm.~~

SECTION 12 PERMIT: GROUNDS FOR REVOCATION

A. The following shall be grounds for revoking any permit issued pursuant to this ordinance:

- (a) Any false or incomplete statement made on the permit application;
- (b) Substantial alteration of alarm transmitting devices other than those approved at the time of the permit application;
- (c) Testing or deliberate activation of the alarm system without following the provisions set forth in Sections 6 of this ordinance;
- (d) Failure to properly maintain the system;
- (e) Failure to pay a false alarm fee as prescribed in Section 11 of this ordinance within thirty (30) days of demand. Noncompliance shall subject the **owner of the property to the normal City collection procedures which could include a lien on the property**, as well as to the penalties prescribed in Section 16. of this ordinance.
- (f) Any permit for an alarm system that has ten or more false alarms within a calendar year may be revoked and the system shall be disconnected.

B. An alarm user shall immediately discontinue use of the alarm upon being notified by certified mail of the revocation of the permit.

SECTION 13 PERMIT: APPEALS

Any person whose alarm system permit has been revoked under Section 12 of this ordinance may appeal that action to the City Council by giving written notice to the City Manager within thirty (30) days after notice of revocation. The filing of a notice of appeal shall stay the action appealed until disposition of the appeal by the Council. For the purpose of this section, mailing by certified mail of the revocation notice to the person and address listed on the permit application, shall constitute notice of revocation.

SECTION 14 VIOLATION: PENALTY

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A violation of a provision of this ordinance is punishable by a fine not to exceed \$500.00.

ADOPTED by the Newberg City Council this ___ day of December, 1996 by the following votes:

AYES: ___ NAYS: ___ ABSTAIN: ___ ABSENT: ___

Duane R. Cole, City Recorder

ATTEST by the Mayor this ___ day of December, 1996.

Donna Proctor, Mayor