

CITY OF SHERWOOD, OREGON

Ordinance No. 89-894

AN ORDINANCE PROTECTING BURGLARY AND ROBBERY ALARM SYSTEMS FROM MISUSE, ESTABLISHING REQUIREMENTS FOR REGISTERING ALARMS, PROVIDING FOR PENALTIES FOR VIOLATIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Sherwood Police Department is notified when alarm systems are activated within the City limits,

WHEREAS, activated alarms require the emergency response of the Police Department;

WHEREAS, City Police must inspect the area protected by the system and determine whether the emergency response was in fact required or whether the signal was a false alarm;

WHEREAS, due to faulty alarm systems and inadequate training of alarm users, the City Police Department is required to respond to many false alarms;

WHEREAS, this represents an unfair burden on the Department, the City, and City taxpayers, and keeps City Police from their other duties and responsibilities;

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

SECTION 1. DEFINITIONS.

(a) Alarm Business - The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure, or facility.

(b) Alarm System - Any assembly of mechanical or electrical equipment arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which City Police are expected to respond, provided, however, that automobile alarm systems are not included in this definition. All

alarm systems installed in the City, except for medical alert alarms, shall include an external visual display.

(c) Alarm User - The person, firm, partnership, association, corporation, company, or organization of any kind in control of any building, structure, or facility in which an alarm system is maintained.

(d) Automatic Dialing Device - A device which is connected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response.

(e) Dispatch Center - The City facility used to receive emergency and general information from the public.

(f) False Alarm - An alarm signal eliciting a response by City Police when a situation actually requiring such a response does not in fact exist. False alarms, for the purposes of this Ordinance, do not include any alarm signals caused by circumstances not reasonably subject to control by the alarm business operator or alarm user.

(g) Interconnect - To connect an alarm system, including an automatic dialing device, to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

(h) Primary Trunk Line - A telephone line serving the dispatch center that is designated to receive emergency calls.

SECTION 2. ALARM USER REGISTRATION REQUIRED.

From the effective date of this Ordinance, every alarm user in the City shall register their alarm systems with the Chief of Police, including all previously installed systems. Registrations shall thereafter be renewed annually. The registration shall include the type and purpose of the alarm, the address of the premises in which the alarm is installed, and specify the location of the system within the premises.

SECTION 3. EMERGENCY NOTIFICATION.

The alarm registration shall be in a form prescribed by the Chief of Police, and shall include the name, address and telephone number(s) of a person(s) authorized by the alarm user to act on their behalf in case of emergencies, alarms, and false alarms.

SECTION 4. USER INSTRUCTIONS.

Every alarm business selling, leasing, installing, or furnishing alarm systems in the City shall provide the alarm user with instructions enabling the user to operate the alarm system

properly, to disarm malfunctioning systems, and to obtain service for a leased alarm system. Copies of instructions for disarming the alarm system shall be submitted with every registration.

SECTION 5. AUTOMATIC DIALING DEVICE -- CERTAIN INTERCONNECTIONS PROHIBITED.

(a) It is unlawful for any person to program an automatic dialing device to select a primary trunk line or any 911 prefix requiring a police response; and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to select a primary trunk line within twelve (12) hours of receipt of written notice from the Sherwood Police Department that it is so programmed.

(b) Within sixty (60) days after the effective date of this Ordinance, all existing automatic dialing devices in the City programmed to select a primary trunk line shall be reprogrammed or disconnected.

(c) It is unlawful for any person to program an automatic dialing device to select any telephone line assigned to the City; and it is unlawful for an alarm user to fail to disconnect or reprogram such device withing twelve (12) hours of receipt of written notice form the Sherwood Police Department that an automatic dialing device is so programmed.

SECTION 6. RESPONSE TO ALARMS.

(a) Whenever an activated alarm system requires a Police Department response to the premises in which the system is installed, the City Police at the scene of the alarm shall inspect the area protected by the system and shall determine whether the emergency response was in fact required as indicated by the alarm system or whether the alarm was a false alarm.

(b) If the City Police at the scene of the alarm determine the alarm to be false, a written report of the false alarm shall be made and submitted to the Chief of Police.

(c) Within a reasonable time from the occurence of a false alarm, the Chief of Police shall have the right to inspect any alarm system on a premises to which City Police response has been made. Failure to correct any alarm system malfunction or deficiency shall be a violation of this Ordinance.

SECTION 7. FALSE ALARMS.

(a) Except as provided in Section 9, if any registered alarm system produces up to four (4) false alarms in any calendar year, the Chief of Police shall provide written notice by

certified mail directing the alarm user to take necessary corrective action, and informing the alarm user of the false alarm fine schedule provided herein.

(b) Alarm users installing a new system shall be entitled to a thirty (30) day grace period during which alarms generated by such system shall not be deemed false alarms.

(c) Except as provided in Section 9, a registered alarm system producing more than four (4) or more false alarms in a calendar year, shall be deemed in violation of this Ordinance and a fine shall be assessed against the alarm user as per the following schedule:

- (1) Fifth and sixth false alarm: Fifty (\$50.00) dollars per false alarm.
- (2) Seventh and eighth false alarm: Seventy-five (\$75.00) dollars per false alarm.
- (3) Nine or more false alarms: One hundred fifty (\$150.00) dollars per false alarm.

SECTION 8. NON-REGISTERED ALARMS.

Except as provided in Section 9, upon any non-registered alarm system producing any alarm, false or otherwise, requiring a City Police response, the alarm user shall be required to register their system as per the provisions of this Ordinance. Alarm systems registered under these circumstances shall thereafter be subject to the standard penalty provisions of this Ordinance, including the fines scheduled in Section 7.

SECTION 9. CONTINUOUS ALARMS.

Any alarm system producing an alarm that cannot be shut-off by responding City Police and that continuously operates for a period greater than sixty (60) minutes, shall be treated as a fifth false alarm as per Section 7(c) of this Ordinance.

SECTION 10. CONFIDENTIALITY.

(a) All alarm system registration information submitted in compliance with this Ordinance shall be held in the strictest confidence and shall be deemed a public record exempt from disclosure pursuant to State statute; and any violation of confidentiality shall be deemed a violation of this Ordinance. The Police Department shall be charged with the sole responsibility for the maintenance of all alarm system registration records.

SECTION 11. ALLOCATION OF REVENUES.

All penalties collected pursuant to this Ordinance shall be deposited to the City General Fund.

SECTION 12. ENFORCEMENT AND PENALTIES.

Violations of this Ordinance for which a fine is not otherwise prescribed shall be punished upon conviction by a fine of not more than five hundred (\$500.00) dollars.

SECTION 13. EFFECTIVE DATE.

This Ordinance shall become effective ninety (90) days after its approval and adoption, in order to allow the Chief of Police sufficient time to prepare a registration program and to notify all known alarm users in the City of their responsibilities under this Ordinance.

Passed by unanimous vote of the City Council this 26th day of April, 1989.

Approved by the Mayor the 5th day of May, 1989.

Norma Oyler
Norma Oyler, Mayor

Attest:

Polly Blankenbaker
Polly Blankenbaker, Recorder

	Aye	Nay	Abstain
Oyler	<u>✓</u>	_____	_____
Birchill	<u>absent</u>	_____	_____
Hitchcock	<u>✓</u>	_____	_____
Chavez	<u>✓</u>	_____	_____
Boyle	<u>✓</u>	_____	_____