

ORDINANCE NO. 96**AN ORDINANCE REGULATING ALARM SYSTEMS, REQUIRING PERMITS, AND PROVIDING PENALTIES FOR FALSE ALARMS, FEES, AND PENALTIES FOR ORDINANCE VIOLATIONS.**

The City of Coos Bay Ordains as follows:

Section 1. Definitions. For purposes of this ordinance, the following words and phrases mean:

Alarm Monitor. Any person, firm or corporation engaged in the business of receiving from alarm users and transmitting to the Coos Bay Police Department communications or signals originating from alarm users.

Alarm System. A mechanical or electrical device designed or used for the detection of unauthorized entry into or upon premises or for alerting others of an unlawful act within or upon premises, and which, when activated, transmits by any means a signal in any form that is audible, visible, or perceptible outside of the protected land, building, structure or facility. Alarm system includes, but is not limited to, those devices designed to transmit a signal or message to a central alarm receiving station.

Alarm user. Any person, firm, partnership, association, corporate or other organization, public or private, in control of premises wherein an alarm system is being maintained.

Automatic dialing device. A device which is interconnected 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.

Premises. Any building, structure or facility, or land within the city.

Section 2. Permits. As of the effective date of this ordinance, all alarm users within the city must apply for alarm system permits. No fee shall be charged to such users who make application within ninety days of the effective date. Thereafter, permits for any alarm system within the city, including any activated after the effective date of this ordinance, shall pay a fee of \$20.00 for issuance. Permits shall remain in effect unless revoked under this ordinance or until the alarm system is dismantled or abandoned by the user. Permits are not transferrable; subsequent users on the same premises must obtain a new permit. The city shall not, by the issuance of a permit, be obligated to respond or accord any priority to an alarm from such system.

Section 3. Duties of Alarm Users. It shall be the duty of each alarm user to cause the alarm system to be properly installed, serviced, maintained and operated so that such system will not produce false alarms. It shall also be the obligation of each alarm user to obtain and provide to appropriate occupants and employees of the premises proper instruction on the use and operation of such alarm system. Each alarm user shall secure an alarm system permit and shall surrender same to the city upon sale of the premises or upon disconnection of the alarm system.

Section 4. False Alarm Fees. During any one calendar year an alarm system for which a permit has been issued shall be allowed four (4) false alarms without any fee or charge being imposed. Commencing with the fifth (5th) false alarm and the next two (2) false alarms thereafter during the

calendar year, there shall be paid to the city of Coos Bay by the alarm user the sum of \$25.00 for each false alarm; beginning the eighth (8th) false alarm per calendar year the fee shall be \$50.00 per false alarm. Failure to pay a false alarm fee within thirty (30) days from the mailing or delivery of a notice requesting such payment shall be a violation of this ordinance and shall result in automatic revocation of the permit under Section 8. Where the alarm system is operated through an alarm monitor, such monitor shall be mailed a duplicate copy of the notice to the user requesting.

Section 5. Deactivating System.

- (1) The alarm user shall provide the city with the name and telephone numbers of the person to be notified to disable an alarm and secure the premises whenever the alarm system is activated.
- (2) Audible alarms. Upon request of the city, a responsible party or other designed person shall respond immediately upon being notified to the premises where the alarm system is located and shall disable the alarm, if the city has not already done so, and secure the premises.
- (3) Inaudible alarms. Upon request of the city, a responsible party or other designated person shall respond, within 30 minutes after being notified, to the premises where the alarm system is located, and shall disable the alarm and secure the premises.
- (4) A police officer may disable or cause an alarm system to be disabled if:
 - (a) It is audible alarm; or
 - (b) It is an inaudible alarm and a responsible party or designated person does not arrive within 30 minutes after being requested to do so by the city; or,
 - (c) The city is unable to contact a responsible party or the designated person, or no person has been designated by the user.

Section 6. Duties of Alarm Monitors.

- (1) The alarm monitor shall ensure the alarm system is properly installed and maintained.
- (2) The alarm monitor shall furnish the user with proper instructions to operate the system properly.
- (3) The monitor shall promptly notify the city of the names and addresses of its users as of the effective date of this ordinance and notify the city thereafter as it adds new users or as users are terminated.
- (4) A failure on the part of an alarm monitor to comply with this section shall be a violation of this ordinance, and the continuation of such violation after the mailing or delivery of a thirty (30) day written notice to the alarm monitor, shall be sufficient cause for the city to cease taking messages or communications from such monitor.

Section 7. Denial and Termination of Permits.

- (1) The city shall not be obligated to issue permits for alarm systems to be wired directly into the police department.
- (2) The Chief of the Department of Public Safety may require the removal of any alarm system wired directly into the police department when such alarm system is defective or is interconnected with a fire alarm or is a combination fire and police alarm.

Section 8. Revocation of Permits. Whenever an alarm user shall violate or fail to comply with the provisions of this ordinance, including the duties of alarm users, the Chief of the Department of Public Safety shall mail or deliver written notice thereof to the alarm user and if such user shall fail or refuse to comply with such notice and this ordinance within a period of thirty (30) days, then the Chief of Police shall revoke the alarm system permit issued under the terms of this ordinance and terminate response services to such user. Any such user may appeal from the notice of the Chief of the Department of Public Safety by giving written notice of such appeal and the reasons therefor to the City Recorder within thirty (30) days after receipt of the written notice from the Chief of the Department of Public Safety; and the Council will hear such appeal at its next regular meeting held not earlier than six days after the receipt of such notice of appeal. The decision of the City Council on such appeal shall be final conclusive.

Section 9. Automatic Dialing Service.

- (1) It is unlawful for any person to program an automatic dialing device as defined in this ordinance; and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device within 12 hours of receipt or written notice that it is so programmed.
- (2) It is unlawful for any person to program an automatic dialing device to select any telephone line assigned to the city without written permission of the city; and it is unlawful for an alarm user to fail to disconnect or reprogram such device within twelve (12) hours of receipt of written notice that an automatic dialing device is so programmed.
- (3) Violations of any of the provisions of this section shall be punishable by a fine not to exceed \$50.00.

Passed by the Council and approved by the Mayor June 8, 1987.