

ORDINANCE NO. 491

AN ORDINANCE OF THE TOWN OF SOUTH PRAIRIE, PIERCE COUNTY, WASHINGTON REPEALING ORDINANCE NO. 480 AND ENACTING A NEW ORDINANCE REGULATING AUTOMATIC ALARM SYSTEMS.

WHEREAS, the number of automatic alarm systems in the Town is increasing, and

WHEREAS, false alarms waste Town resources and risk diverting emergency services personnel from legitimate emergencies; and

WHEREAS, false alarms are preventable; and

WHEREAS, to reduce the number of false alarms, it is necessary for the Town to regulate the use of automatic alarm systems and to impose consequences for false alarms; and

WHEREAS, because the Town's law enforcement needs are currently being served by the Pierce County Sheriff's Department, for the sake of consistency the Town should adopt the relevant portions of the Pierce County Code that relate to alarm systems.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SOUTH PRAIRIE, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Ordinance 480, entitled "An Ordinance of the Town of South Prairie, Pierce County, Washington Defining False Alarms, Defining Unlawful Conduct, and Setting Forth Sanctions for Voice Response to False Alarms" is hereby repealed in its entirety.

Section 2. The following sections of the Pierce County Code (PCC) are hereby adopted in their entirety by reference:

PCC § 8.64.026
PCC § 8.64.030
PCC § 8.64.035
PCC § 8.64.040
PCC § 8.64.045
PCC § 8.64.060
PCC § 8.64.070
PCC § 8.64.080

Section 2. The following provisions of the Pierce County Code (PCC) are hereby adopted by reference with the modifications indicated:

PCC § 8.64.010 Definitions.

- A. "Alarm Administrator" means a Person or Persons designated by the Sheriff to administer, control and review false alarm reduction efforts and will be administering the provisions of this ordinance.
- B. "Alarm Business" means Persons, partnerships, corporations, or associations who conduct the business of monitoring any Alarm System within ~~unincorporated Pierce County~~ the Town of South Prairie.
- C. "Alarm Dispatch Request" means a notification to the Sheriff's Department that an alarm, either manual or automatic, has been activated at a particular Alarm Site.
- D. "Alarm Site" means a single fixed premise or location served by an Alarm System or Systems. Each unit, if served by a separate Alarm System in a multi-unit building or complex, shall be considered a separate Alarm Site.
- E. "Alarm System" or "Intrusion Detection System" means a device, or series of devices, including, but not limited to, hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to summon a third party response, including Local Alarm Systems. The following devices shall not constitute alarm systems within the meaning of this subsection:
 1. Devices or mechanisms primarily protecting a motor vehicle;
 2. Devices that are not installed, operated or used for the purpose of reporting an emergency to the Sheriff's Department;
 3. Devices installed on a temporary basis by the Sheriff's Department.
- F. "Alarm User" means any Person, who (which) has contracted for Monitoring, repair, installation or maintenance service from an Alarm Business for an Alarm System, or who (which) owns or operates an Alarm System which is not monitored, maintained or repaired under contract.
- G. "Arming Station" means a device that allows control of an Alarm System.
- H. "Automatic Voice Dialer" means any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio, or other communication system, to a law enforcement, public safety or emergency services agency requesting dispatch.
- I. "Cancellation" means the process where Department response is terminated when an Alarm User or Alarm Business (designated by the Alarm User) for the Alarm Site notifies the Department that there is not an existing situation at the Alarm Site requiring law enforcement agency response after an Alarm Dispatch Request.

- J. "Conversion" means the transaction or process by which one Alarm Business begins the servicing and/or Monitoring of a previously unmonitored Alarm System or an Alarm System previously serviced and/or monitored by another alarm company.
- K. "Department" means Pierce County or the Pierce County Sheriffs Department.
- L. "Duress Alarm" means a silent Alarm System signal generated by the entry of a designated code into an Arming Station in order to signal that the Alarm User is being forced to turn off the system and requests a law enforcement response.
- M. "False Alarm" means an Alarm Dispatch Request to the Department where the responding law enforcement officer finds no evidence of a criminal offense or attempted criminal offense.
1. An alarm signal caused by extraordinary violent conditions of nature such as severe winds, floods, and earthquakes of an intense magnitude (as opposed to the normal minor tremors experienced frequently) would not be deemed a False Alarm.
 2. Equipment malfunctions, user errors, Alarm Business errors, conditions of nature, that are normal for that area which cause an alarm signal are deemed False Alarms.
- N. "Holdup Alarm" means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.
- O. "Law Enforcement Authority" means the Sheriff and those law enforcement officers commissioned by the Sheriff.
- P. "Local Alarm System" means any Alarm System, which is not monitored by an Alarm Business, that produces an alarm signal only at the Alarm Site.
- Q. "Monitoring" means the process by which a Alarm Business receives signals from an Alarm System and relays an Alarm Dispatch Request to the Department or Third Party for the purpose of summoning a response to the Alarm Site.
- R. "One Plus Duress Alarm" means the manual activation of a silent alarm signal at an Arming Station by entering a code that adds one to the last digit of the normal arm/disarm code (e.g., normal code = 1234, One Plus Duress Code = 1235).
- S. "Panic Alarm" means an audible Alarm System signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.

- T. "Person" means an individual, corporation, partnership, association, organization or similar entity.
- U. "Responder Call Out", means an individual capable of reaching the Alarm Site within minutes and having access to the Alarm Site, the code to the Alarm System and the authority to approve repairs to the Alarm System.
- V. "Response Eligibility", means an alarm site that is in compliance with this ordinance, there are no outstanding fees owed by the Alarm User or Alarm Business, and the Sheriff has not revoked response to this location for cause.
- W. "Third Party" means a Person designated by the Alarm User or Alarm Business to respond to the Alarm Site to verify that a criminal act has occurred or is occurring requiring law enforcement to respond.
- X. "Vision Obscuring Device" means an alarm system or device that emits or produces real or simulated smoke, fog, vapor, or any like substance that obscures vision. These devices are not authorized for use at any alarm site where the potential for an Alarm Dispatch exists.

PCC § 8.64.020 Duties of the Alarm User.

- A. An Alarm User shall:
 1. Display the street address of the Alarm Site at or near the front of the premises and at other places where access is available, such as from an alley or parking lot. The street address shall be clearly visible and readable from the exterior of the premise.
 2. Maintain the Alarm Site and utilize the Alarm system in a manner that will minimize or eliminate False Alarms.
 3. Make every reasonable effort to have a Responder to the Alarm System's location within 45 minutes, when requested by the law enforcement agency, in order to:
 - a. Deactivate an Alarm Site; or
 - b. Provide access to the Alarm Site; or
 - c. Provide alternative security for the Alarm Site.
 4. Not activate an Alarm System for any reason other than an occurrence of an event that the Alarm System is intended to report.
- B. Businesses with Alarm Systems that contain property at the Alarm Site such as weapons, ammunition, explosives, or hazardous materials where the Alarm User cannot be immediately contacted, shall ensure they have pre-arranged with a Third Party to secure the site immediately upon notification by the Sheriff's Department. This information shall be part of the Alarm Business Record. Either the Alarm Business or the Sheriff's Department shall be authorized to request the Third Party

respond to secure the site on behalf of the Alarm User. Failure to arrange a Third Party Responder or the Third Party failing to respond in a timely manner will result in a minimum security charge of \$100.00 per hour, or the actual costs, whichever is higher, to secure the material or location.

- C. Any Person who owns, operates, or possesses any Alarm System within ~~unincorporated Pierce County~~ the Town of South Prairie which does not conform to the requirements of this Chapter shall disconnect that alarm and render it inoperable or alter it in accordance with this Chapter no later than ~~January 1, 2006~~ February 1, 2007, or be subject to no response for intrusion alarm activations requests for dispatch.

PCC § 8.64.025 Registration Requirements of Alarm Businesses.

- A. **Registration Required.** From and after ~~January 1, 2006~~ February 1, 2007, all Person(s) who conduct the business of monitoring Alarm Systems in any building, structure, site or other property within ~~unincorporated Pierce County~~ the Town of South Prairie are required to register with the Sheriff's Department Alarm Administrator.
- B. **Registration Application.** All Alarm Businesses are required to complete a registration application form. Information required to be provided on the registration application form includes, but is not limited to:
1. Alarm Business name, physical address, mailing address, business telephone number.
 2. Contractor and/or state business license number.
 3. Principals of the Alarm Business.
 4. A 24-hour telephone number to the monitoring center.
 5. The number of alarm systems being monitored within ~~unincorporated Pierce County~~ the Town of South Prairie broken down by residential and business.
- C. **Alarm Business Registration Restrictions.**
1. Any false statement of material fact made by an applicant for the purpose of obtaining an Alarm Business registration to monitor Alarm Systems shall be sufficient cause for refusal to issue, or revocation of a registration;
 2. Any incomplete Alarm Business registration application will result in automatic denial of the registration request;
 3. An Alarm Business registration cannot be transferred to another Person or business;
 4. An Alarm Business shall inform the Alarm Administrator of any change that alters any of the information in subsections 8.64.B.1 through B.4 within five business days of such change;

5. All fees owed by the Alarm Business applicant must be paid before an Alarm Business registration may be issued or renewed.

PCC § 8.64.027 Registration Fees.

- A. Effective ~~January 1, 2006~~ February 1, 2007, Alarm Businesses shall pay a registration fee for each newly activate Alarm System monitored within ~~unincorporated Pierce County~~ the Town of South Prairie. This per alarm fee shall be a one-time fee of \$20.00 per alarm system monitored. This fee shall be paid within 5 working days of an Alarm Business activating a new customer. This registration fee is non-transferable.
- B. Renewal registrations will not be completed for any business which has delinquent penalties and fees.
- C. Reinstatement Alarm Registration application fees shall be \$250 plus \$1.00 per alarm system monitored in addition to all other fees and penalties which are due.

PCC § 8.64.028 Duties of the Alarm Businesses.

- A. Shall cooperatively work with the Sheriff s Department to reduce false dispatches to false alarms.
- B. Alarm Businesses shall:
 1. Provide the Alarm Administrator with information regarding Alarm Systems installed, operated and monitored within ~~unincorporated Pierce County~~ the Town of South Prairie in the format (paper or electronic) requested by the Alarm Administrator;
 2. Maintain in the Alarm Business database information provided by the Alarm Administrator of any Alarm Site that is ineligible for an Alarm Dispatch Request by law enforcement.
 3. Maintain information in the Alarm Business data base on Alarm Systems for Alarm Sites that protect weapons, ammunition, explosives, or certain types of hazardous materials which require a third party capable of responding to secure the Alarm Site.
 4. Maintain information in the Alarm Business data base of Alarm Cancellations that will explain why the Alarm was cancelled.
 5. Make all requests for Alarm Dispatches to a telephone number and in the form designated by the Alarm Administrator;
 6. Not make requests for Alarm Dispatches for Alarm Systems that are under Response Eligibility Revocation from the Department;
 7. Not program duress keypad codes with "One Plus Duress Alarm" codes, and within 180 days of the effective date of this Ordinance re-program all

- existing duress alarms which utilize a "One Plus Duress Alarm" codes with an alternative;
8. Not install single action, or non-recessed button robbery, duress or panic devices, and within 180 days of the effective date of this Ordinance replace existing single action devices with devices with a minimum of two actions;
 9. Program Arming Station control panels to send cancel codes to abort dispatches;
 10. Upon takeover of any Alarm System, upgrade, or modify the Alarm System to bring the system into compliance with this ordinance;
 11. Alarm Businesses must maintain for a period of at least one year, records relating to Alarm Dispatch Requests. Records must include the name, address, and phone number of the Alarm User, the Alarm System Zone(s) and sensors activated, use of Third Party responders, the time of Alarm Dispatch Request and, if applicable reasons which lead to Alarm Cancellations. The Alarm Administrator may request copies of such records for individually named Alarm Users.
 12. Alarm Businesses that perform monitoring services for a fee whose Registration is suspended or revoked are required to notify all Alarm User customers within 5 days of the suspension of such suspension or revocation. The Alarm User shall be notified that the Department shall not accept Alarm Dispatch Requests from the suspended or revoked business, and will not respond to their alarm during the Alarm Business's suspension or revocation.

PCC § 8.64.050 Service Charges.

- A. Service charges for all monitored alarm systems will be assessed to the Alarm Business. Service charges for unmonitored Alarm Sites will be assessed to the Alarm Owner/User. These service fees will be assessed for and in the amount of:

False Alarm Response	\$250.00	
False Robbery/Duress/Panic Alarm Response	\$125.00	
Alarm Response Cancellation Fee	\$50.00	
Reinstatement Fee for Unmonitored Alarm	\$50.00	
Security Charge	\$100.00	Per hour minimum or the actual cost which is ever higher.
Business Registration for New Alarm Systems Fee	\$20.00	Per new alarm system.
Alarm Business Ineligible Dispatch Request	\$200.00	
False Statement by Alarm Business Employee	\$200.00	
Reinstatement Fee for Alarm Business.	\$250.00 plus \$1.00 per monitored alarm system.	

- B. Each Residential Alarm is eligible for one False Alarm Response at no charge.
- C. Service charges shall be paid to and collected by the Town Clerk/Treasurer and transferred to Pierce County for deposited into the Alarm Systems Permits Account in the General Fund, to be used for the administration and enforcement activities associated with this Chapter.

PCC § 8.64.075 Government Immunity.

- A. Alarm Registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an Alarm Permit, the Alarm Business, for itself and as the agent of the Alarm User, acknowledges that law enforcement response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.
- B. The Department recognizes that some Alarm Sites may pose a greater public safety risk due to their business and/or contents of the alarmed site. In the event that a potential risk to the public is perceived due to an unsecure Alarm Site, the Department may elect to provide security measures to secure the site until the responsible parties can arrive. However, neither the Department nor the Town of South Prairie shall ~~not~~ be responsible for securing any Alarm Site or for the loss or damage to any property.
- C. Neither the Department nor the Town of South Prairie shall ~~not~~ be responsible for any acts or failure to act by an Alarm Business. In certain situations, the Department may not respond to requests for Alarm Responses due to revocation of the Alarm Business Registrations.
- D. Neither the Department nor the Town of South Prairie shall ~~not~~ be responsible for investigating Alarm Sites that are inaccessible due to fences, terrain obstructions, other physical obstructions, or potentially dangerous animals.

Section 4. The Town Clerk shall keep copies of Chapter 8.64 of the Pierce County Code at the Town Hall, for distribution to the public upon request.

Section 5. If any provision of this ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions shall remain in force and effect.

Section 6. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication as required by law.

Peggy Levesque

Mayor Peggy Levesque

INTRODUCED 1-16-07

PASSED 1-16-07

APPROVED 1-16-07

PUBLISHED 1-24-07

Attested:

Marla Nevill

Marla Nevill
Town Clerk

Approved as to form:

Kathleen Haggard

Kathleen Haggard
Town Attorney



Chapter 8.64

ALARM SYSTEMS

Sections:

- 8.64.010 Definitions.**
- 8.64.020 Duties of Alarm User.**
- 8.64.025 Registration Requirements of Alarm Businesses.**
- 8.64.026 Registration Duration and Renewal.**
- 8.64.027 Registration Fees.**
- 8.64.028 Duties of Alarm Business.**
- 8.64.030 Response Eligibility Revocation.**
- 8.64.035 Response Eligibility Reinstatement.**
- 8.64.040 Alarm Business Registration Revocation.**
- 8.64.045 Alarm Business Registration Reinstatement.**
- 8.64.050 Alarm System(s) Service Charges.**
- 8.64.060 Unlawful Systems and Uses.**
- 8.64.070 Confidentiality.**
- 8.64.075 Governmental Immunity.**
- 8.64.080 Violation - Penalty.**
- 8.64.090 Severability.**

8.64.010 Definitions.

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- I. "Cancellation" means the process where Department response is terminated when an Alarm User or Alarm Business (designated by the Alarm User) for the Alarm Site notifies the Department that there is not an existing situation at the Alarm Site requiring law enforcement agency response after an Alarm Dispatch Request.
- J. "Conversion" means the transaction or process by which one Alarm Business begins the servicing and/or Monitoring of a previously unmonitored Alarm System or an Alarm System previously serviced and/or monitored by another alarm company.
- K. "Department" means Pierce County or the Pierce County Sheriff's Department.
- L. "Duress Alarm" means a silent Alarm System signal generated by the entry of a designated code into an Arming Station in order to signal that the Alarm User is being forced to turn off the system and requests a law enforcement response.
- M. "False Alarm" means an Alarm Dispatch Request to the Department where the responding law enforcement officer finds no evidence of a criminal offense or attempted criminal offense.
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 - 2. Equipment malfunctions, user errors, Alarm Business errors, conditions of nature, that are normal for that area which cause an alarm signal are deemed False Alarms.
- N. "Holdup Alarm" means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.
- O. "Law Enforcement Authority" means the Sheriff and those law enforcement officers commissioned by the Sheriff.
- P. "Local Alarm System" means any Alarm System, which is not monitored by an Alarm Business, that produces an alarm signal only at the Alarm Site.
- Q. "Monitoring" means the process by which a Alarm Business receives signals from an Alarm System and relays an Alarm Dispatch Request to the Department or Third Party for the purpose of summoning a response to the Alarm Site.
- R. "One Plus Duress Alarm" means the manual activation of a silent alarm signal at an Arming Station by entering a code that adds one to the last digit of the normal arm/disarm code (e.g., normal code = 1234, One Plus Duress Code = 1235).
- S. "Panic Alarm" means an audible Alarm System signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.
- T. "Person" means an individual, corporation, partnership, association, organization or similar entity.
- U. "Responder Call Out", means an individual capable of reaching the Alarm Site within minutes and having access to the Alarm Site, the code to the Alarm System and the authority to approve repairs to the Alarm System.

- V. "Response Eligibility", means an alarm site that is in compliance with this ordinance, there are no outstanding fees owed by the Alarm User or Alarm Business, and the Sheriff has not revoked response to this location for cause.
- W. "Third Party" means a Person designated by the Alarm User or Alarm Business to respond to the Alarm Site to verify that a criminal act has occurred or is occurring requiring law enforcement to respond.
- X. "Vision Obscuring Device" means an alarm system or device that emits or produces real or simulated smoke, fog, vapor, or any like substance that obscures vision. These devices are not authorized for use at any alarm site where the potential for an Alarm Dispatch exists.

(Ord. 2005-6s § 2 (part), 2005)

8.64.020 Duties of the Alarm User.

- A. An Alarm User shall:
 - 1. Display the street address of the Alarm Site at or near the front of the premises and at other places where access is available, such as from an alley or parking lot. The street address shall be clearly visible and readable from the exterior of the premise.
 - 2. Maintain the Alarm Site and utilize the Alarm System in a manner that will minimize or eliminate False Alarms;
 - 3. Make every reasonable effort to have a Responder to the Alarm System's location within 45 minutes, when requested by the law enforcement agency, in order to:
 - a. Deactivate an Alarm System; or
 - b. Provide access to the Alarm Site; or
 - c. Provide alternative security for the Alarm Site.
 - 4. Not activate an Alarm System for any reason other than an occurrence of an event that the Alarm System is intended to report.
- B. Businesses with Alarm Systems that contain property at the Alarm Site such as, weapons, ammunition, explosives, or hazardous materials where the Alarm User cannot be immediately contacted, shall ensure they have pre-arranged with a Third Party to secure the site immediately upon notification by the Sheriff's Department. This information shall be part of the Alarm Business Record. Either the Alarm Business or the Sheriff's Department shall be authorized to request the Third Party respond to secure the site on behalf of the Alarm User. Failure to arrange a Third Party Responder or the Third Party failing to respond in a timely manner will result in a minimum security charge of \$100.00 per hour, or the actual costs, whichever is higher, to secure the material or location.
- C. Any Person who owns, operates, or possesses any Alarm System within unincorporated Pierce County which does not conform to the requirements of this Chapter shall disconnect that alarm and render it inoperable or alter it in accordance with this Chapter no later than January 1, 2006, or be subject to no response for intrusion alarm activations requests for dispatch.

(Ord. 2005-101 § 1 (part), 2005; Ord. 2005-6s § 2 (part), 2005)

8.64.025 Registration Requirements of Alarm Businesses.

- A. **Registration Required.** From and after January 1, 2006, all Person(s) who conduct the business of monitoring Alarm Systems in any building, structure, site or other property within unincorporated Pierce County are required to register with the Sheriff's Department Alarm Administrator.

B. Registration Application. All Alarm Businesses are required to complete a registration application form. Information required to be provided on the registration application form includes, but is not limited to:

1. Alarm Business name, physical address, mailing address, business telephone number.
2. Contractor and/or state business license number.
3. Principals of the Alarm Business.
4. A 24-hour telephone number to the monitoring center.
5. The number of alarm systems being monitored within unincorporated Pierce County broken down by residential and business.

C. Alarm Business Registration Restrictions.

1. Any false statement of material fact made by an applicant for the purpose of obtaining an Alarm Business registration to monitor Alarm Systems shall be sufficient cause for refusal to issue, or revocation of a registration;
2. Any incomplete Alarm Business registration application will result in automatic denial of the registration request;
3. An Alarm Business registration cannot be transferred to another Person or business;
4. An Alarm Business shall inform the Alarm Administrator of any change that alters any of the information in subsections 8.64.025 B. 1. thru B. 4. within five business days of such change;
5. All fees owed by the Alarm Business applicant must be paid before an Alarm Business registration may be issued or renewed.

(Ord. 2005-101 § 1 (part), 2005; Ord. 2005-6s § 2 (part), 2005)

8.64.026 Registration Duration and Renewal.

An Alarm Business's registration shall expire one year from the date of registration and must be renewed annually by submitting an updated application to the Alarm Administrator. The Alarm Administrator may notify each Alarm Business of the need to renew thirty days prior to the expiration of the registration. It is the responsibility of the Alarm Business to submit an application prior to the registration expiration date. Failure to renew will result in Alarm Dispatch Requests from the Alarm Business not being accepted for Dispatch and other penalties listed in 8.64.050. (Ord. 2005-101 § 1 (part), 2005; Ord. 2005-6s § 2 (part), 2005)

8.64.027 Registration Fees.

- A. Effective January 1, 2006, Alarm Businesses shall pay a registration fee for each newly activated Alarm System monitored within unincorporated Pierce County. This per alarm fee shall be a one-time fee of \$20.00 per alarm system monitored. This fee shall be paid within five working days of an Alarm Business activating a new customer. This registration fee is nontransferable.
- B. Renewal registrations will not be completed for any business which has delinquent penalties and fees.
- C. Reinstatement Alarm Registration application fees shall be \$250.00 plus \$1.00 per alarm system monitored in addition to all other fees and penalties which are due.

(Ord. 2005-101 § 1 (part), 2005; Ord. 2005-6s § 2 (part), 2005)

8.64.028 Duties of the Alarm Businesses.

- A. Shall cooperatively work with the Sheriff's Department to reduce false dispatches to false alarms.
- B. Alarm Businesses shall:
 - 1. Provide the Alarm Administrator with information regarding Alarm Systems installed, operated and monitored within unincorporated Pierce County in the format (paper or electronic) requested by the Alarm Administrator;
 - 2. Maintain in the Alarm Business database information provided by the Alarm Administrator of any Alarm Site that is ineligible for an Alarm Dispatch Request by law enforcement.
 - 3. Maintain information in the Alarm Business data base on Alarm Systems for Alarm Sites that protect weapons, ammunition, explosives, or certain types of hazardous materials which require a third party capable of responding to secure the Alarm Site.
 - 4. Maintain information in the Alarm Business data base of Alarm Cancellations that will explain why the Alarm was cancelled.
 - 5. Make all requests for Alarm Dispatches to a telephone number and in the form designated by the Alarm Administrator;
 - 6. Not make requests for Alarm Dispatches for Alarm Systems that are under Response Eligibility Revocation from the Department;
 - 7. Not program duress keypad codes with "One Plus Duress Alarm" codes, and within 180 days of the effective date of this Ordinance re-program all existing duress alarms which utilize a "One Plus Duress Alarm" codes with an alternative;
 - 8. Not install single action, or non-recessed button robbery, duress or panic devices, and within 180 days of the effective date of this Ordinance replace existing single-action devices with devices with a minimum of two actions;
 - 9. Program Arming Station control panels to send cancel codes to abort dispatches;
 - 10. Upon takeover of any Alarm System, upgrade, or modify the Alarm System to bring the system into compliance with this ordinance;
 - 11. Alarm Businesses must maintain for a period of at least one year, records relating to Alarm Dispatch Requests. Records must include the name, address, and phone number of the Alarm User, the Alarm System Zone(s) and sensors activated, use of Third Party responders, the time of Alarm Dispatch Request and, if applicable reasons which lead to Alarm Cancellations. The Alarm Administrator may request copies of such records for individually named Alarm Users.
 - 12. Alarm Businesses that perform monitoring services for a fee whose Registration is suspended or revoked are required to notify all Alarm User customers within 5 days of the suspension of such suspension or revocation. The Alarm User shall be notified that the Department shall not accept Alarm Dispatch Requests from the suspended or revoked business, and will not respond to their alarm during the Alarm Business's suspension or revocation.

(Ord. 2005-6s § 2 (part), 2005)

8.64.030 Alarm Site Response Ineligibility.

- A. **Grounds.** The Department may revoke the eligibility of an Alarm Site for response, when:
 - 1. The alarm system has resulted in more than four False Alarm responses by the Department within a one year period, or

2. When fees or service charges as set forth in Section 8.64.050 of this Chapter, have not been paid within 90 days of billing.
 3. Hazards to responders exist at the Alarm Site.
- B. **Notice of Response Eligibility Revocation.** The Department shall send notice to the Alarm Business or for Unmonitored Alarm Systems, Alarm Site Property Owner listed in the Assessor's records, in writing by first class mail of the Response Eligibility Revocation and the grounds thereof. The notice shall specify the specific date of revocation, which shall be no sooner than 15 days after the notice is deposited in the mail, and that the Department shall discontinue responding to alarms which occur at the premises described.
- C. **Appeal.** The Alarm Business or Alarm Site Owner/User may appeal the intended or actual revocation pursuant to the provisions of the Hearing Examiner Code, Chapter 1.22 PCC.

(Ord. 2005-6s § 2 (part), 2005)

8.64.031 Alarm Site Response Eligibility Reinstatement.

- A. Reinstatement of Response Eligibility may be made upon receipt by the Department of:
1. A letter from a licensed alarm company that the alarm system is operating properly or the Alarm Site Owner/User's agents are properly trained in the Alarm System operation; or
 2. Documentation from an owner/tenant who has personally installed the Alarm System that the alarm system is operating properly and/or the alarm users are properly trained in the Alarm System Operation; or
 3. All outstanding fees and penalties have been paid.
- B. The Department shall not be responsible for any costs incurred by the Alarm Owner/User to qualify for reinstatement.
- C. Response Eligibility will not be reinstated if there are any outstanding fees or service charges due.

(Ord. 2005-101 § 1 (part), 2005; Ord. 2005-6s § 2 (part), 2005)

8.64.040 Alarm Business Registration Revocation.

- A. **Grounds.** The Department may revoke an Alarm Business Registration, for:
1. Failure to comply with the provisions of 8.64.025.
 2. Failure to comply with the provisions of 8.64.026.
 3. Failure to pay all fees and penalties within 90 days of billing.
 4. Failure to comply with the provisions of 8.64.028.
 5. Failure to comply with requests for information from the Alarm Administrator as provided for within this Chapter.
- B. **Notice of Revocation.** The Department shall notify such registrant in writing by first class mail of the revocation of the Alarm Business Registration and the grounds thereof. The notice shall specify the specific date of revocation, which shall be no sooner than 15 days after the notice is deposited in the mail, and that the Department shall discontinue responding to Alarm Dispatch Requests from the Alarm Business for their customers. The Alarm Business will be required to notify their Alarm System monitoring customers that the Department will not respond to alarms at their Alarm Site beginning fifteen days after the Department mails notice to the Alarm Business.

C. Appeal. The registrant may appeal the intended or actual revocation pursuant to the provisions of the Hearing Examiner Code, Chapter 1.22 PCC.
(Ord. 2005-6s § 2 (part), 2005)

8.64.045 Alarm Business Registration Reinstatement.

- A. Reinstatement of the registration may be made:
 1. Upon receipt and approval by the Department of a detailed, viable plan to rectify the conditions which resulted in the revocation.
 2. Upon payment of all fees and penalties due from the Alarm Business.
- B. The Department shall not be responsible for any costs incurred by the registrant to qualify for reinstatement.

(Ord. 2005-6s § 2 (part), 2005)

8.64.050 Service Charges.

- A. Service charges for all monitored alarm systems will be assessed to the Alarm Business. Service charges for unmonitored Alarm Sites will be assessed to the Alarm Owner/User. These service fees will be assessed for and in the amount of:

False Alarm Response	\$250.00	
False Robbery/Duress/Panic Alarm Response	\$125.00	
Alarm Response Cancellation Fee	\$50.00	
Reinstatement Fee for Unmonitored Alarm	\$50.00	
Security Charge	\$100.00	Per hour minimum or the actual cost which is ever higher.
Business Registration for New Alarm Systems Fee	\$20.00	Per new alarm system.
Alarm Business Ineligible Dispatch Request	\$200.00	
False Statement by Alarm Business Employee	\$200.00	
Reinstatement Fee for Alarm Business.	\$250.00 plus \$1.00 per monitored alarm system.	

- B. Each Residential Alarm is eligible for one False Alarm Response at no charge.
- C. Service charges shall be deposited into the Alarm Systems Permits Account in the General Fund, to be used for the administration and enforcement activities associated with this Chapter.

(Ord. 2005-101 § 1 (part), 2005; Ord. 2005-6s § 2 (part), 2005)

8.64.060 Unlawful System and Uses.

- A. No person shall operate or use an Alarm System which emits an audible sound where such emission does not automatically cease within 10 minutes, or for two repetitions of the 10-minute cycle without resetting the Alarm System.

- B. No person shall cause or permit to be caused an Alarm Dispatch Request for any Alarm System for which the Response Eligibility has been revoked by the Department.
 - C. No person shall operate or use any Alarm System that automatically dials the Department directly and delivers a prerecorded message.
 - D. No person shall install, operate or use any Alarm System which incorporates a vision obscuring device which emits or produces real or simulated smoke, fog, vapor or a like substance that obscures vision. Use of such device shall result in no police response.
 - E. No person shall cause or permit to be caused an Alarm System to sound except for the purpose it was intended.
- (Ord. 2005-6s § 2 (part), 2005)

8.64.070 Confidentiality.

In the interest of public safety, all information contained in and gathered through the Alarm Registration applications shall be held in confidence by all employees or representatives of the Department and Alarm Businesses to the extent permitted by Washington law. (Ord. 2005-6s § 2 (part), 2005)

8.64.075 Government Immunity.

- A. Alarm Registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an Alarm Permit, the Alarm Business, for itself and as the agent of the Alarm User, acknowledges that law enforcement response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.
 - B. The Department recognizes that some Alarm Sites may pose a greater public safety risk due to their business and/or contents of the alarmed site. In the event that a potential risk to the public is perceived due to an unsecure Alarm Site, the Department may elect to provide security measures to secure the site until the responsible parties can arrive. However, the Department shall not be responsible for securing any Alarm Site or for the loss or damage to any property.
 - C. The Department shall not be responsible for any acts or failure to act by an Alarm Business. In certain situations, the Department may not respond to requests for Alarm Responses due to revocation of the Alarm Business Registrations.
 - D. The Department shall not be responsible for investigating Alarm Sites that are inaccessible due to fences, terrain obstructions, other physical obstructions, or potentially dangerous animals.
- (Ord. 2005-6s § 2 (part), 2005)

8.64.080 Violation - Penalty.

In addition to the penalties and regulations provided herein, any person who violates any provisions of this Chapter shall be guilty of a Class 1 misdemeanor. (Ord. 2005-6s § 2 (part), 2005)

8.64.090 Severability.

If any provision of this Chapter or its application to any person or circumstance is held invalid, the remainder of the Chapter or the application of the provision to other persons or circumstances is not affected. (Ord. 2005-6s § 2 (part), 2005)