

ALARM SYSTEMS

7.200 Purpose and Scope.

(1) The purpose of this section through Section 7.250 is to establish reasonable standards for users, to ensure alarm users are held responsible for the proper operation of their alarm system, to ensure that alarm business are held responsible for the proper installation and/or activation of an alarm system, to ensure that monitoring businesses are held responsible for proper verification of false alarms, and to reduce the number of false alarms requiring a response from the City's emergency services and thus preventing them from carrying out other duties.

(2) This section through 7.250 govern emergency alarm systems, require permits, establish fees, provide for allocation of revenues and deficits, provide for revocation of permits, provide for punishment of violations and establish a system of administration.

[Amended by Ordinance No. 1733, adopted 01-18-2022.]

7.205 Definitions.

As used in Sections 7.200 through 7.250, the following words and phrases shall have the meanings given to them in this section:

Alarm Business. The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing an alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed an alarm system at an alarm site.

Alarm Dispatch Request. A notification to the Police Department that an alarm, either manual or automatic, has been activated at an alarm site.

Alarm Registration. The process of issuing a registration number by the coordinator to an alarm user authorizing the operation of an alarm system.

Alarm Registration Number. A sequence of alphanumeric characters assigned to an alarm user when it is registered.

Alarm Site. Any building, structure or facility that is served by one or more alarm systems. In a multi-unit building or complex, each unit shall be considered a separate alarm site if served by a separate alarm system. In a single unit building containing two or more separate businesses with separate alarm systems, each business will be considered a separate alarm site.

Alarm System. An assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an emergency requiring urgent attention and to which police, fire, or emergency medical personnel are expected to respond.

Alarm User. The person, firm, partnership, association, corporation, company or organization of any kind in control of an alarm site.

Alarm User Awareness Class. A class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems, problems created by false alarms and effective strategies to reduce false alarms.

Automatic Dialing Device. A device connected to a telephone line or internet connection programmed to select a predetermined telephone number or internet location and transmit by voice message or code signal an emergency message indicating a need for emergency response.

Cancellation. The termination of a police response to an alarm site after an alarm dispatch request is made but before an officer's arrival at the alarm site.

Chief of Police. Director of police services for the City or their designated representative.

City. The City of West Linn.

Communications Center. The City facility used to receive emergency and general information from the public to be dispatched to City emergency services.

Coordinator. The individual(s) designated by the Chief of Police to issue alarm registrations and enforce the provisions of Sections 7.200 through 7.250.

Enhanced Call Coordination Procedures. The process by which a monitoring business makes two attempts to contact alarm user prior to initiating an alarm dispatch request.

False Alarm. An alarm signal resulting in the responding emergency officer finding no evidence of an unauthorized entry, robbery, or other such crime attempted at the alarm site. This does not include an alarm signal caused by violent conditions of nature or other extraordinary events not reasonably subject to control by the alarm business operator or alarm user.

Governmental Political Unit. Any tax-supported public agency.

Monitoring. The process of receiving signals from an alarm system and relaying to Police Department.

Monitoring Business. The business by any individual, partnership, corporation, or other entity of providing monitoring services.

Police Department. The West Linn Police Department.

Primary trunk line. A telephone line leading directly into the communications center that is designated to receive emergency calls.

Takeover. The transaction or process by which an alarm user assumes control of an existing alarm system, which was previously controlled by another alarm user.

[Amended by Ordinance No. 1733, adopted 01-18-2022.]

7.210 Alarm User's Permit Required.

[Repealed by Ordinance No. 1733, adopted 01-18-2022.]

7.211 Alarm Registrations – Fees – Suspension.

- (1) An alarm user shall not operate, or cause to be operated, any alarm system at an alarm site without a valid alarm registration number. A separate alarm registration number is required for each alarm site having a distinct address or business name. A completed alarm registration along with the applicable registration fee shall be submitted to and approved by the coordinator prior to any alarm system activation. A 30-day grace period shall be granted from the date of all new alarm activations or takeovers to accommodate the alarm registration process.
- (2) Initial and renewal fees for alarm registration shall be collected by the coordinator.
- (3) Any alarm site or alarm user, including, but not limited to, governmental political units and alarm users 65 years of age or older, that may be exempt from payment of registration fees must still complete the alarm registration process and are subject to all other fees, fines, and suspension enforcement, except when such action is prohibited by statute or law.
- (4) An alarm registration number shall expire one year from the date of issuance and must be renewed annually by the alarm user. The coordinator shall notify the alarm user of the need to renew the alarm registration number 30 days prior to the expiration of the alarm registration number. It is the responsibility of the alarm user to submit the updated information and renewal fees prior to the expiration date. Failure to renew the alarm registration number shall be classified as use of a nonregistered alarm system and may be subject to a fine and late charge. Failure to pay the renewal fee may result in suspension of police response to the alarm site. Any suspension of police response will be reinstated upon full payment of renewal fees and any applicable fines and/or late charges.
- (5) The amount of alarm registration fees shall be established in the City's master fee schedule.
- (6) Upon receipt of a completed alarm registration application form and fee, the coordinator shall issue an alarm registration number or renewal to the applicant, unless:
 - (a) The applicant has failed to pay any fee or charge assessed under this chapter; or
 - (b) An alarm registration for the alarm site has been revoked, and the condition(s) resulting in the revocation have not been corrected; or
 - (c) The alarm business listed on the application is not in possession of a current valid business license issued by the City; or
 - (d) The applicant has made a false statement of material fact on the application for the purpose of obtaining an alarm registration.

[Amended by Ordinance No. 1733, adopted 01-18-2022.]

7.212 Transfer of Alarm Registration Prohibited.

- (1) An alarm registration cannot be transferred to another alarm user or alarm site. An alarm user shall inform the coordinator and monitoring business of any material change to the information listed on the alarm registration application within 10 business days after such change.
- (2) The coordinator, in its discretion, may make exceptions to this section when the transfer is among members of the family of the original alarm user or successors in interest to the alarm site.

[Added by Ordinance No. 1733, adopted 01-18-2022.]

7.213 Alarm Business Duties and Obligations.

Any alarm business providing services within the City shall have the following duties and obligations:

- (1) Provide the coordinator with the name, address and phone number of any monitoring business it uses to monitor alarm sites within the City.
- (2) Provide the City with a list of all alarm users, including contact and mailing information, that are using the alarm business's services within the City.
- (3) Provide the alarm user, upon the activation of an alarm system, with:
 - (a) The requirements to apply for an alarm registration;
 - (b) The consequences for false alarms, including possible fines;
 - (c) Written instructions on proper operational procedures for alarm system;
 - (d) Initial training in the operation of the alarm system.
- (4) Notify the coordinator within 30 days of new alarm system activation.
- (5) Ensure audible alarm systems include a device which will limit the duration of the audible signal to a period of not more than 15 minutes per activation.
- (6) Ensure alarm systems are supplied with an uninterrupted power supply in such a manner that the failure or interruption of the normal electric utility service for a period of up to four hours will not activate the alarm system.
- (7) Maintain records demonstrating compliance with this section and provide documentation to the City upon request.

[Added by Ordinance No. 1733, adopted 01-18-2022.]

7.214 Monitoring Business Duties and Obligations.

Any monitoring business providing monitoring services within the City shall have the following duties and obligations:

- (1) Provide the coordinator with the name, address and phone number of any alarm business for which it provides monitoring services.
- (2) Employ enhanced call confirmation procedures whereby the monitoring business makes two attempts to contact alarm user prior to initiating an alarm dispatch request.
- (3) Communicate alarm dispatch requests and cancellations to Police Department in a manner and form directed by coordinator.
- (4) Communicate all available zone activation information as part of alarm dispatch request.
- (5) Communicate to Police Department if it knows an alarm user is on the way to the alarm site.
- (6) Maintain all records relating to alarm dispatch requests for a period of at least one year and provide documentation to the City upon request.
- (7) Notify the coordinator of any updated contact and/or mailing information for alarm user.

[Added by Ordinance No. 1733, adopted 01-18-2022.]

7.215 User Instructions.

[Repealed by Ordinance No. 1733, adopted 01-18-2022.]

7.220 Automatic Dialing Device – Certain Connections Prohibited.

- (1) It is unlawful for any person to program an automatic dialing device to select a primary trunk line; 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 12 hours of receipt of written notice from the coordinator that it is so programmed.
- (2) Within 60 days after the effective date of the ordinance codified in Sections 7.200 through 7.250, all existing automatic dialing devices programmed to select a primary trunk line shall be reprogrammed or disconnected.
- (3) 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 within 12 hours of receipt of written notice from the coordinator that an automatic dialing device is so programmed.

[Amended by Ordinance No. 1733, adopted 01-18-2022.]

7.225 False Alarms – Registration Revocation – Appeal.

(1) Any alarm system which has 10 or more false alarms during its registration period shall be subject to having the alarm registration revoked, which may result in a suspension of response to any future alarm dispatch requests.

(2) If the communications center records 10 or more false alarms during a registration period for any alarm system:

(a) The coordinator shall provide written notice to the alarm user by certified mail, return receipt requested, of the excessive false alarms and direct the alarm user to submit a report to the coordinator within 10 days of receipt of the notice describing actions taken or to be taken to discover and eliminate the cause of the false alarms. Refusal of an alarm user to accept or receive the written notice shall not excuse the alarm user from compliance with this section, and any alarm user so refusing or failing to accept the written notice shall be deemed to have received notice as of the date of the final attempt of the United States Postal Service to effect delivery.

(b) If the alarm user submits a report as directed, the coordinator shall determine if the actions taken or to be taken will reasonably prevent the occurrence of future false alarms. If the coordinator determines that the actions will reasonably prevent the occurrence of future false alarms, the coordinator shall provide written notice to the alarm user by certified mail, return receipt requested, that the alarm registration will not be revoked, conditioned upon the faithful performance of the corrective action. The notice will further advise the alarm user that future false alarms resulting from the failure to perform the corrective action may result in the revocation of the alarm registration. The coordinator shall provide written notice to the alarm user, by certified mail, return receipt requested, of subsequent false alarms and that the alarm registration will be revoked effective 10 days from the date of the written notice.

(c) If the alarm user does not submit a report, or if the coordinator determines that the actions taken or to be taken will not prevent the occurrence of false alarms, the coordinator shall provide written notice to the alarm user, by certified mail, return receipt requested, that the alarm registration will be revoked effective 10 days from the date of the written notice, and the alarm user's right to appeal the determination pursuant to subsection (3) of this section.

(d) The coordinator shall deliver a copy of any notices described within this section to the respective alarm business and/or monitoring business.

(3) Within 10 days of an alarm registration being revoked, an alarm user may appeal the revocation to the Chief of Police. Upon receipt of a notice of appeal, the Chief of Police shall cause an investigation into the reason for the City's action, and shall inform the alarm user of their findings and decision within 20 days. If the alarm user is dissatisfied with the decision of the Chief of Police, the alarm user may appeal to the City Manager, or its designee, within 10 days from the written notification of the decision of the Chief of Police. The decision of the City Manager shall be final.

[Amended by Ordinance No. 1621, adopted 04-21-2014; amended by Ordinance No. 1733, adopted 01-18-2022.]

7.230 False Alarm – Fines – Fees – Late Charges.

- (1) [Repealed by Ordinance No. 1733, adopted 01-18-2022.]
- (2) Repealed by Ordinance No. 1733, adopted 01-18-2022.]
- (3) The coordinator may assess the alarm user a fine for a false alarm occurring at that alarm user's alarm site. The amount of false alarm fines shall be established in the City's master fee schedule.
- (4) If a false alarm fine is not paid by the alarm user within 30 days after issuance of the notice, a late charge, as established in the City's master fee schedule, shall be imposed.
- (5) An alarm user operating a nonregistered alarm system incurring a false alarm shall be imposed an additional fine in an amount as established in the City's master fee schedule.
- (6) If a cancellation occurs, then the response is not considered a false alarm and no false alarm fine will be assessed against the alarm user.
- (7) A fine in an amount as established in the City's master fee schedule shall be imposed against an alarm business that fails to timely notify the coordinator of new alarm system activations or provide accurate contact and mailing information for an alarm site as required by this chapter.
- (9) A fine in an amount as established in the City's master fee schedule shall be imposed against a monitoring business that fails to follow enhanced call confirmation procedures or fails to provide updated contact and mailing information for an alarm site as required by this chapter.
- (10) The coordinator may waive the false alarm fine for the first false alarm during each alarm registration period, conditioned on the successful completion by the alarm user of the online alarm user awareness class within 30 days of the fine notice to the alarm user. Alarm users without online access may request the class be mailed to them and the City will allow the alarm user a reasonable amount of additional time to complete the alarm user awareness class taking into account mail delivery.
- (11) An alarm business or monitoring business may appeal a fine imposed under this section by submitting a written notice of appeal to the Chief of Police. Upon receipt of a notice of appeal, the Chief of Police shall cause an investigation into the reason for the City's action, and shall inform the alarm business or monitoring business of their findings and decision within 20 days. If the alarm business or monitoring business is dissatisfied with the decision of the Chief of Police, the alarm business or monitoring business may appeal to the City Manager, or its designee, within 10 days from the written notification of the decision of the Chief of Police. The decision of the City Manager shall be final.

[Amended by Ordinance No. 1575, adopted 09-22-2008; amended by Ordinance No. 1733, adopted 01-18-2022.]

7.235 Confidentiality Statistics.

(1) All information submitted in compliance with Sections 7.200 through 7.250 shall be held in the strictest confidence and shall be deemed a public record exempt from disclosure under Oregon's Public Records Laws to the extent allowed by Oregon law. Any violation of confidentiality shall be deemed a violation of Sections 7.200 through 7.250. The coordinator shall be charged with the sole responsibility for the maintenance, disclosure, retention, and destruction after expiration of the established retention schedule of all records of any kind whatsoever under Sections 7.200 through 7.250.

(2) Subject to the requirements of confidentiality, the coordinator shall develop and maintain statistics having the purpose of evaluating and assessing the performance and compliance of the alarm system, alarm businesses and monitoring businesses.

[Amended by Ordinance No. 1733, adopted 01-18-2022.]

7.240 Allocation of Revenues and Expenses.

All fees and fines collected pursuant to Sections 7.200 through 7.250 shall be general fund revenue of the City.

[Amended by Ordinance No. 1733, adopted 01-18-2022.]

7.245 City Immunity.

The issuance of an alarm registration does not create a contract between the City and/or the Police Department and any alarm user, alarm business or monitoring business, nor does it create a duty or obligation, either express or implied, to respond to any alarm. Any and all liability and consequential damage resulting from the failure of the Police Department to respond to an alarm dispatch request is hereby disclaimed and full governmental immunity as provided by law is retained. The alarm user acknowledges that the Police Department response is influenced by the availability of officers, priority of calls, traffic conditions, weather conditions, emergency conditions, staffing levels, and prior response history.

[Amended by Ordinance No. 1733, adopted 01-18-2022.]

7.250 Code Enforcement Action.

(1) Enforcement of Sections 7.200 through this section may be by civil action as provided in ORS 30.315.

(2) Violation of, or the failure to comply with, the provisions of Sections 7.200 through this section may be punished upon a conviction as set out in Sections 1.205 through 1.260.

(3) In the event that fines and fees assessed are not paid in full per the guidelines set forth in this chapter, the City reserves the right to assign the debt for collection.

[Amended by Ordinance No. 1733, adopted 01-18-2022.]