

CHAPTER 11.04: ALARM SYSTEMS

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§ 11.04.001 PURPOSE.

A. The purpose of this Chapter is to encourage alarm users and alarm companies to properly use and maintain the operational effectiveness of alarm systems, and to reduce or eliminate the occurrence of false alarms, which may unnecessarily divert law enforcement from responding to criminal activity.

B. This Chapter governs alarm systems intended to summon law enforcement response. In addition, it sets forth permit requirements, establishes fees and charges, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension or revocation of a permit.

(Ord. No. 2002-015 § 1 (part))

§ 11.04.005 DEFINITIONS.

Terms defined herein shall have the following meanings when used in this Chapter:

ALARM ADMINISTRATOR. The individual or individuals designated by the Chief of Police to administer, control and review false alarm reduction efforts.

ALARM COMPANY. Any person that sells, leases, maintains, services, repairs, alters, replaces, moves, installs or monitors an alarm system at an alarm site.

ALARM DISPATCH REQUEST. A notification to a law enforcement agency that an alarm, either manual or automatic, has been activated at a particular alarm site.

ALARM PERMIT . The document issued by the Alarm Administrator signifying that an alarm permit application has been completed by the applicant, accepted by the Department, and all appropriate fees have been paid.

ALARM SITE. The location at which an alarm system was installed.

ALARM SYSTEM. Any system, device or mechanism that, when activated, emits an audible or visible signal that can be heard or seen by persons outside the alarm site , or transmits a signal beyond the alarm site in some other fashion for police response, including, but not limited to, a duress or panic alarm, holdup alarm and robbery alarm.

ALARM SYSTEM INSTALLER. Any person that installs or contracts to install at any alarm site an alarm system as defined in this Section.

CANCELLATION. The process by which an alarm company providing monitoring to an alarm site verifies with the alarm user or the alarm user's designee that a false alarm has occurred, and there is not an existing situation at the alarm site requiring law enforcement response.

DEPARTMENT. The Culver City Police Department.

DURESS OR PANIC ALARM. A silent alarm system signal generated by a manual alarm dispatch request of a device intended to signal a life-threatening situation or a crime in progress at the alarm site requiring law enforcement response.

FALSE ALARM. An alarm dispatch request to the Police Department, where no criminal offense or emergency exists at the alarm site.

HOLDUP ALARM. A silent alarm signal generated by a manual alarm dispatch request of a device intended to signal a robbery in progress at the alarm site.

MONITORING. The process by which an alarm company receives signals from an alarm system and relays an alarm dispatch request to the Department for the purpose of summoning law enforcement response to the alarm site.

NON-MONITORED ALARM. An alarm that does not send a signal to an alarm company to notify of an alarm activation. Any alert of an alarm activation remains at the alarm site.

PERMITTEE. The person to whom an alarm permit is issued.

OPERATOR OR USER. A person who:

1. Controls both the alarm system and the alarm site; or
2. Controls the alarm site and is the subscriber, client or customer of the alarm company.

ROBBERY ALARM SYSTEM. An alarm system designed for use for alerting others of a robbery in progress which involves potential serious bodily injury or death.

('65 Code, § 19-67(a)) (Ord. No. 86-013 §§ 1-4; Ord. No. 83-0003 § 1; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part))

§ 11.04.010 NOTICE OF INSTALLATION.

Upon installation of an alarm system at any alarm site, the alarm system installer shall notify the Department, in writing, of the date such installation was completed and shall provide the name of the person for whom the installation was made and the address of the alarm site.

('65 Code, § 19-67(b)) (Ord. No. 86-013 §§ 1-4; Ord. No. 83-0003 § 1; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part))

§ 11.04.015 PERMIT REQUIRED; APPLICATION AND RENEWAL.

A. No person shall operate or use an alarm system on any premises under that person's control without first having obtained an Alarm Permit therefor.

1. Each Alarm Permit shall be given a unique number and shall be valid for one (1) year from the date of issuance.

2. Each Alarm Permit must be renewed annually by submitting an updated application and a renewal fee to the Alarm Administrator.

B. The Alarm Permit application must include the following information:

1. The name(s), address(es) and telephone numbers) of the person(s) who will be the permit holder(s) and responsible for maintaining and operating the alarm system and any payment of assessed fees and/or charges.

2. The billing and/or mailing address if different from that of the alarm site.

3. The name, address and telephone number of the alarm company that installed the alarm system, and the person who will be monitoring the alarm system if different from that of the installer.

4. Any dangerous or special conditions present at the alarm site.

5. If the alarm site is a business, the type of business conducted at the alarm site.

C. The permittee shall pay a permit application or renewal fee, as established by resolution of the City Council.

1. No Alarm Permit shall be issued or renewed for any person until all alarm system permit fees and/or service charges have been paid.

2. Exception. The Chief of Police of the Department, at his or her discretion, may waive any Alarm Permit application or renewal fees for municipal, county, state and/or federal government agencies, government official or non-profit organization, if he or she determines that the public interest would be better served by such waiver.

D. The Alarm Administrator shall assess a service charge equal to that of the false alarm fee to any alarm operator or user that does not have an Alarm Permit in effect at the time that an alarm system causes an alarm dispatch request.

1. The fee shall be waived if the alarm user applies for and is issued an alarm permit for the alarm site within thirty (30) calendar days after the date of the alarm dispatch request.

2. That thirty-day (30-day) grace period does not apply to a suspended or revoked permit. ('65 Code, § 19-67(c)) (Ord. No. 86-013 §§ 1-4; Ord. No. 83-0003 § 1; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part))

§ 11.04.020 ISSUANCE OR RENEWAL OF PERMIT.

A. Application for an initial Alarm Permit or a renewal shall be filed with the Alarm Administrator.

1. The Alarm Administrator shall issue an Alarm Permit for the alarm site unless the Alarm Administrator finds that good cause exists to deny the Alarm Permit.

2. Good cause to deny the Alarm Permit shall include, but not be limited to: the installation of unreliable or otherwise faulty alarm system equipment; the failure of the applicant to pay Alarm Permit fees, service or administrative charges on any alarm system operated by the applicant or other fees due to the City; or factors which demonstrate that the public health and safety would be endangered by the issuance or renewal of the Alarm Permit.

3. In the event the Alarm Administrator denies an application for an Alarm Permit for any reason, the Alarm Administrator shall advise the applicant, in writing, of the reason for the denial.

4. The applicant may, within fifteen (15) days after the Alarm Administrator's denial of the Alarm Permit, appeal the decision to the Committee on Permits and Licenses for a hearing pursuant to § 11.01.335 of this Code.

B. It is the responsibility of a permittee to submit a renewal application to the Alarm Administrator prior to the expiration date of an Alarm Permit.

1. Failure to renew an Alarm Permit in a timely manner shall be deemed use of an unpermitted alarm system.

2. A service charge for late payment of an Alarm Permit renewal shall be established by resolution of the City Council, and shall be imposed if the renewal is more than fifteen (15) calendar days late.

3. This provision shall not be construed to preclude or limit the assessment of administrative charges or enforcement of the penalty provision as provided in this Chapter.

C. It is the responsibility of a permittee to notify the Alarm Administrator of any change to the information supplied in the Alarm Permit application (such as name, address, telephone number, etc.) within thirty (30) days after such change.

('65 Code, § 19-67(d)) (Ord. No. 86-013 §§ 1-4; Ord. No. 83-0003 § 1; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part))

§ 11.04.025 PERMIT SUSPENSION AND REVOCATION.

A. In accordance with the provisions of this Chapter and Chapter 11.01, the Alarm Administrator may suspend or revoke an Alarm Permit of any permittee for any of the following reasons:

1. An alarm system has experienced within a twelve (12) month period more than ten (10) responses by the Department which did not require police services.
2. Failure to pay any fee and/or service charge within thirty (30) days after billing.
3. The making of any false statement or material misrepresentation of fact in an Alarm Permit application.
4. If an Alarm Permit is suspended for any reason and is not brought into compliance within thirty (30) days after the suspension, the Alarm Permit may be revoked.

B. Revocation of an Alarm Permit may be appealed to the Committee on Permits and Licenses pursuant to § 11.01.335 of this Code, and must be made within fifteen (15) calendar days after issuance of the notice of revocation from the Alarm Administrator.

C. During the period of suspension or subsequent to the revocation of an Alarm Permit:

1. The permittee must immediately render the alarm system inoperable.
 - a. The permittee may file a new application for an Alarm Permit.
 - b. But no alarm system may operate at the alarm site until the new application is granted.
2. If the permittee's alarm system causes an alarm dispatch request, the permittee shall be assessed an administrative charge to be established by resolution of the City Council, and may be subject to prosecution for violation of this Chapter.

D. The Alarm Administrator shall not approve an application for an Alarm Permit, where the alarm site is or has been the subject of a pending suspension or revocation action, unless the applicant submits a signed letter from the alarm company stating that: the alarm company has inspected the alarm system; it has found the alarm system to be in satisfactory operating condition and in compliance with the standards contained in this Chapter; and the alarm operator or user has been instructed on the proper use of the alarm system.

('65 Code, § 19-67(e)) (Ord. No. 86-013 §§ 1-4; Ord. No. 83-0003 § 1; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part))

§ 11.04.030 SERVICE CHARGES.

A. A service charge shall be billed to and paid by any permittee for each response to a false alarm made by the Department in excess of three (3) responses in a twelve-month (12-month) period.

1. The amount of the charge shall be established by resolution of the City Council, and shall be based upon the then existing City costs, including salary and vehicle cost.
2. If a fourth or subsequent response requires police services, the Department may waive the service charge for that response, provided that it has adopted and follows waiver of fee guidelines.

B. Cancellation of an alarm dispatch request made prior to the arrival of the Department to the alarm site shall not be deemed a false alarm for purposes of this Section, and no service charge

shall be assessed. This provision does not apply to an alarm system if the Alarm Permit has been suspended or revoked.

C. The Department shall advise the City Treasurer of all applicable service charges. The charges shall be billed to permittees by the City Treasurer, and shall be due and payable to the City Treasurer within fifteen (15) days from the billing date.

D. If the City Treasurer determines for any billing that a discrepancy exists, between service charges paid and the amount due pursuant to this Chapter, which results in an underpayment of or overpayment in an amount of three dollars (\$3.00) or less, the City Treasurer may accept and record the billing as paid in full without other notification to the person billed.

E. If the City Treasurer determines any amount due hereunder cannot be collected or efforts to collect any such sum would be disproportionately costly with relation to the probable outcome of the collection efforts relative to the amount due, then the City Treasurer may prepare a report setting forth the findings and reasons therefor, and submit that report to a Board of Review consisting of the Chief of Police, the City Manager and the City Attorney.

1. Upon unanimous approval of such findings by the Board of Review, the City Treasurer may remove any unpaid sum owing or believed to be owing from the active accounts receivable of the Department.

2. The removal, however, shall not preclude the City from collecting or attempting to collect any sum that later proves to be collectable.

('65 Code, § 19-67(f)) (Ord. No. 86-013 §§ 1-4; Ord. No. 83-0003 § 1; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part); Ord. No. 2006-009 (part))

§ 11.04.035 ADDITIONAL DUTIES OF PERMITTEES.

The alarm operator or user shall maintain the alarm site and alarm system in a manner that will minimize false alarms as follows:

A. A commercial permittee shall display the Alarm Permit number at or near the main entrance of the alarm site for which the permit is issued.

1. The Alarm Permit number shall be clearly visible.

2. Upon demand, a residential permittee shall make the Alarm Permit available to any employee or agent of the Department.

3. Each permittee at an alarm site shall display the street address at or near the front of the alarm site and at other places where access is available, such as from an alley or parking lot.

4. The street address shall be clearly visible.

5. A commercial permittee shall not display or cause to be displayed anywhere on the exterior of the alarm site the name of any previous occupant of the alarm site.

B. The permittee or the permittee's designee shall respond to an alarm site following activation of the alarm system for which an Alarm Permit at that alarm site has been issued hereunder.

1. The response shall be made within a reasonable time, but in no event later than one (1) hour after being requested to do so by the Department.

2. A permittee who fails to respond, or fails to send a representative to respond, to the alarm site when requested by the Department shall be assessed an administrative charge established by resolution of the City Council, whether or not the alarm dispatch request was a false alarm.

3. This charge is in addition to any other fees and/or service charges imposed by this Chapter.

C. Any exterior-mounted audible alarm system shall display the name and telephone number of the servicing alarm company. Any audible alarm mounted on the exterior of a commercial alarm site shall be installed so that the sound from the alarm is not directed toward any immediately adjacent residences.

D. Any audible fire alarm shall be clearly marked "Fire Alarm."

E. A permittee shall insure that the name on the Alarm Permit and the name reported to the Department by the alarm company are consistent with the name posted on the alarm site, if any.

F. Where more than one person share the same building and address at an alarm site, any audible alarm system shall be posted with the name and apartment number or suite number of the permittee.

G. A siren-type audible alarm used on the interior of an alarm site shall be installed so that the sound from the alarm is not directed toward the outside of the alarm site, and shall not be so loud as to cause interference with nearby traffic.

('65 Code, § 19-67(g)) (Ord. No. 86-013 §§ 1-4; Ord. No. 83-0003 § 1; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part))

§ 11.04.040 IMPERMISSIBLE SYSTEMS AND USES.

A. No person shall operate or use on the exterior of an alarm site, any alarm system that emits a sound similar to that of an emergency vehicle, siren or civil defense warning system.

B. No person shall operate or use an alarm system that emits an audible sound where such emission does not automatically cease within one-half (1/2) hour.

C. No person shall operate or use a robbery alarm system for any purpose other than reporting robberies.

D. No person shall operate or use an alarm system for any purpose other than detecting and reporting an unauthorized entry upon the alarm site protected by such system.

E. No person shall operate or use an alarm system which has been disapproved by the Department.

('65 Code, § 19-67(h)) (Ord. No. 86-013 §§ 1-4; Ord. No. 83-0003 § 1; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part))

§ 11.04.043 DEPARTMENT DISCRETION.

Nothing contained in this Chapter shall be construed to either require or prohibit a response by the Department to any alarm dispatch request, or to, in any way, regulate the discretion of the Department in allocating its resources in the official performance of its duties.

(Ord. No. 2002-015 § 1 (part))

§ 11.04.044 COLLECTION OF FEES AND CHARGES.

Any and all fees and/or service or administrative charges imposed by this Chapter shall be deemed a debt owed to the City by the permittee, and may be collected as any civil debt owed to the City in any court of competent jurisdiction.

(Ord. No. 2002-015 § 1 (part))

§ 11.04.045 VIOLATIONS.

Violation of this Chapter, other than by failure to pay a service charge, shall constitute an infraction, which is punishable as provided in § 1.01.045 of this Code.

('65 Code, § 19-67(i)) (Ord. No. 83-0003 § 1; Ord. No. 86-013 §§ 1-4; Ord. No. 96-007 § 1 (part); Ord. No. 96-022 §§ 1-4; Ord. No. 2002-015 § 1 (part))