

AN ORDINANCE RELATING TO THE REGULATION OF FIRE, BURGLAR, MEDICAL, AND HAZARD MONITORING ALARM SYSTEMS, REQUIRING ALARM USERS TO OBTAIN PERMITS, PROVIDING FOR ISSUANCE OF PERMITS AND REVOCATION THEREOF, PROVIDING PENALTIES AND ALL OTHER MATTERS PERTAINING THERETO, REPEALING ORDINANCE NO. 519, AND DECLARING AN EMERGENCY.

The Stayton City Council ordains as follows:

SECTION 1: Title

This Ordinance shall be known as the Public Safety Alarm Ordinance

SECTION 2: Purpose and Scope

- A. The purpose of this Ordinance is to protect the Stayton Emergency Communication Center from misuses of automatic emergency alarm reporting systems.
- B. The Ordinance governs fire, medical, burglar, and hazard monitoring alarm systems, requires permits, establishes fees, and provides for revocation of permits and provides for punishment of violations.

SECTION 3: Definitions

- A. "Alarm System" means a device or system of interconnected devices, including hardware and related accessories, designed to give warning of a fire, burglary, robbery, medical emergency, or other hazardous condition occurring on the protected premises.
- B. "Automatic Dialer" means a device which is programmed to select a telephone number and deliver a warning message or signal over standard telephone lines.
- C. "Digital Communicator" means an automatic dialer specially designed and programmed to deliver an alarm signal to compatible receiving equipment located at an alarm reception point by telephone line.
- D. "Emergency Dispatch Center" is the Stayton Emergency Communication Center used to receive transmissions and general information from the public to be dispatched to the respective entities utilizing the center.
- E. "False Alarm" means any activation of any alarm system which results in the dispatch of emergency personnel and/or equipment to the protected premises where they are unable to discover any evidence of an emergency condition, but does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm user or an activation, the false nature of which is communicated to the Emergency Communication Center.
- F. "Hard-wire Systems" is an alarm system which detects and transmits alarms using direct leased lines to a receiving panel at an alarm reception point.

- G. "Local Alarms" are those systems or devices which sound audibly on the premises of the user, and are not connected to a receiving panel at an alarm reception point.
- H. "Protected Premises" means all of that contiguous area, including buildings, protected by a single alarm system and under common ownership and use.
- I. "Persons" means any alarm user, be it a natural person, firm, partnership, association, corporation, company, or organization, profit or non-profit, public or private.

SECTION 4: Alarm System Requirements

- A. No alarm system shall be installed, used, or maintained in violation of any of the requirements of adopted provisions of the Uniform Fire Code or of any applicable statute, law, or administrative regulation of the State of Oregon, or of the City of Stayton.
- B. Any alarm user required by Federal, State, county, or municipal statute, regulation, rule or ordinance to install, maintain and operate an alarm system shall be subject to this Ordinance.
- C. Any alarm system which incorporates a digital communicator shall be programmed to select an Emergency Communication Center phone line 'specifically designated' for this purpose.
  - (1) No automatic dialer shall be programmed to select the Emergency Communication Center trunk phone lines.
- D. The holder of an alarm system permit shall be responsible for training and re-training all employees, family members, and other persons who make regular use of the protected premises and who may, in the normal course of their activities, be in a position to accidentally trigger an alarm device. Such training shall include procedures to avoid accidental alarms and steps to follow in the event the system is accidentally triggered.
- E. The holder of an alarm system permit shall, at all times, be responsible for the proper maintenance and repair of the system, and for the repair or replacement of any component, method of installation, design feature, or like condition which may give rise to a false alarm.
- F. All alarm system testing shall be conducted in accordance with the following:
  - (1) All service and tests of any alarm system which may result in transmission of alarm signals to the Emergency Communication Center shall be conducted only after notification to the Emergency Communication Center of the intention to conduct such service or tests. Failure to so notify will result in a false alarm assessment.
- G. Fire drills which incorporate activation of the alarm system with resultant transmission of alarm signals to the Emergency Communication Center shall not be conducted without prior notification to the Emergency Communication Center.

- H. All permit holders shall furnish and update names and phone numbers of at least two (2) responsible persons having access to the premises who may be notified to assist personnel in the event the alarm is activated.
- I. Local alarms, other than fire alarms, shall not make a sound similar to that of sirens on emergency vehicles or of civil defense warning systems. Owners of local alarms will be responsible to maintain and turn the alarm system off in case of malfunction, and are subject to Section 9, False alarms. No local alarm sounding device shall sound for more than five (5) minutes, and shall incorporate an automatic cutoff.

#### SECTION 5: Permits Required

No person shall install, use, or maintain any alarm system without first obtaining a permit for such system from the City. Systems approved and installed prior to the adoption of this Ordinance shall be governed by such rules and regulations as contained herein.

#### SECTION 6: Application and Issuance of Permits

- A. Each application for an alarm system permit shall be made on a form prescribed by the City of Stayton.
- B. Each permit application shall be accompanied by the fee prescribed in Section 10, Fees.
- C. Upon receipt of the permit application and fee, the City of Stayton shall undertake such investigation as is deemed necessary. If it appears that the proposed system will comply with the provisions of this Ordinance and any other applicable rules and regulations, the City shall issue to the applicant a permit bearing an identifying number and specifying the type of alarm system for which it is issued.
- D. Each permit issued above shall be for a period of one year, commencing on July 1 of the calendar year, and shall be renewed within fifteen (15) days of expiration date. New applications tendered after July 1 will be pro-rated for the permit fee.
- E. Residential alarm users over the age of 65 and being the principal occupant of the premise wherein no business is conducted will be required to pay the \$10.00 permit fee and be required to obtain a permit within the 60 days after the need for such permit arises, but all other monitoring fees will be waived.

#### SECTION 7: Grounds for Revoking Permit

- A. The following shall be grounds for revoking any permit issued pursuant to this Ordinance:
  - (1) Any false or incomplete statement made on the permit application.
  - (2) Substantial alteration of alarm transmitting devices, other than as have been approved at the time of the permit application.

- (3) Testing or deliberate activation of the alarm system without following the provisions set forth in Section 4G & H of this Ordinance.
  - (4) Failure to properly maintain the system.
  - (5) Failure to pay a false alarm fee as prescribed in Section 10 within 30 days of demand. Non-compliance shall subject the protected property to a lien on said property, as well as the penalties prescribed in Section 11.
- B. An alarm user shall immediately discontinue use of the alarm system upon being notified by certified mail of the revocation of the permit.

SECTION 8: Appeal of Revoked Permit

Any party whose alarm system permit has been revoked, under Section 7 of this Ordinance may appeal that action to the City Council by giving written notice to the City Administrator within thirty (30) days after receipt of the notice of revocation. The filing of a Notice of Appeal shall stay the action appealed until disposition of the appeal by the Council.

SECTION 9: False Alarms

- A. As a condition of any alarm system permit issued under the provisions of this Ordinance, and for maintenance of any similar system installed prior to adoption of this Ordinance, the permittee shall pay the City of Stayton fees for false alarms generated by the permittee's alarm system according to the schedule in Section 10, Fees.
- B. Any alarm system which has ten (10) or more false alarms within a permit year shall be revoked and the system disconnected.

SECTION 10: Fees

- A. The fee for permit applications shall be \$10.00.
- B. A \$25.00 charge will be assessed in addition to the fee provided above, if a user fails to obtain a permit within sixty (60) days after the effective date of this Ordinance, or who is more than fifteen (15) days delinquent in renewing a permit.
- C. Alarm systems using automatic communicating equipment which terminate at the Emergency Communication Center shall pay a monitoring fee of \$50.00 per year for systems within the City's user area and \$75.00 per year for systems outside the user area.
- D. Fees shall be subject to revision by ordinance of the City Council over time as conditions merit.
- E. False Alarm Fees:
  - (1) First four (4) false alarms during the permit year, no charge.

(2) For each false alarm thereafter, to and including the 10th, \$25.00 per false alarm.

SECTION 11: Penalties

Any person violating any of the provisions of this Ordinance shall upon conviction thereof in the Municipal Court be punished by a fine not to exceed \$500.00.

SECTION 12: This Ordinance is intended to replace Ordinance No. 519, the existing Alarm Ordinance, which is hereby repealed.

SECTION 13: Validity

The City Council hereby declares that should any section, paragraph, sentence, or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Council that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

AN EMERGENCY IS HEREBY DECLARED to exist and this Ordinance shall be in full force and effect immediately upon adoption by the City Council and signature by the Mayor.

PASSED BY THE COMMON COUNCIL THIS 20<sup>th</sup> DAY OF June, 1983

Signed by the Mayor this 5<sup>th</sup> day of July, 1983.

Henry A. Pate  
Mayor

ATTEST:

Ellen Vandenberg  
City Administrator