

ORDINANCE NO. 2908

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
AMENDING CHAPTER 8.60 OF TITLE 8 OF THE GARDEN GROVE MUNICIPAL CODE
RELATING TO ALARM SYSTEMS

City Attorney Summary

This Ordinance amends and updates the City's regulations governing the use of burglary and panic/robbery alarm systems.

WHEREAS, Chapter 8.60 of the Garden Grove Municipal Code sets forth regulations governing the use of burglary and robbery alarms in the City of Garden Grove, requiring permits for such alarm systems, authorizing the imposition of fees, and providing penalty for violations;

WHEREAS, Chapter 8.60 has not been substantively amended since it was adopted in 1983; and

WHEREAS, the City desires to update its regulations governing burglary and robbery alarm systems to reflect current practices, technology and industry standards.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has not potential for resulting in physical change to the environment, directly or indirectly.

SECTION 2: Chapter 8.60 of Title 8 of the Garden Grove Municipal Code, entitled "Alarm Systems," is hereby amended and restated in its entirety as set forth in Attachment "A" hereto. The date this Ordinance takes effect shall be inserted in Section 8.60.070 (Alarm System Standards) where indicated in Attachment "A".

SECTION 3: If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 4: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____ day of _____.

ATTEST:

MAYOR

DEPUTY CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, LIZABETH VASQUEZ, Deputy City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced for first reading and passed to second reading on August 13, 2019, with a vote as follows:

AYES:	COUNCIL MEMBERS: (7)	BRIETIGAM, O'NEILL, NGUYEN T., BUI, KLOPFENSTEIN, NGUYEN K., JONES
NOES:	COUNCIL MEMBERS: (0)	NONE
ABSENT:	COUNCIL MEMBERS: (0)	NONE

ATTACHMENT "A"

CHAPTER 8.60 ALARM SYSTEMS

Sections:

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8.60.001: Purpose

The purpose of this Chapter is to set forth regulations governing the use of burglary and panic/robbery alarms, require permits thereof, establish fees and provide penalty for violations. The City finds and determines that the regulation of alarm systems and the control of false alarms is necessary to promote the health, welfare and safety of the people, in that some of the public are using alarm systems which either mechanically malfunction or are not operated properly by their users, causing an increase in false alarm reports, and thereby creating a hazard to the safety of peace officers and the public in general.

8.60.010: Definitions

For the purpose of this Chapter, the following definitions shall apply:

"Alarm agent" means any person who is self-employed or employed either directly or indirectly by an alarm business, and whose duties include any of the following: selling and maintaining, leasing, servicing, repairing, altering, replacing, moving or installing an alarm system in or on any building, place or premises.

"Alarm business" or "alarm company" means any person conducting or engaging in the business of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, removing, installing or monitoring an alarm system in or on any building, place or premises.

"Alarm system" is a device or connected devices designed for (1) the detection of, or the alerting of others to, an unauthorized entry on any premises, or (2) the alerting of others to a robbery in progress or other life threatening or emergency situation; and which, when activated, emits a sound or transmits a signal to indicate that an emergency situation exists, and to which police are expected to respond. Alarm system shall include a device or devices for video surveillance of any premises which is either monitored by an alarm business or which is designed to alert the alarm user of a possible unauthorized entry on the premises.

"Alarm user" means any person owning, leasing or operating an alarm system, or on whose property or premises an alarm system is maintained for the protection of such property or premises

"Alarm User Awareness Class" means a class conducted for the purpose of educating alarm users about the responsible use, operation and maintenance of alarm systems and the problems caused by false alarms.

"Applicant" means a person or proposed permittee who has made request for permission to use an alarm system under the conditions specified in this Chapter.

"Audible alarm" is an alarm system which, when activated, generates an audible sound on the premises.

"Burglary" means unlawful entry into any building with the intent of committing a theft or felony.

"Business" means any nonresidential use.

"Chief of Police" means the Chief of Police of the Garden Grove Police Department or his or her designee.

"Direct dial telephone device" (automatic dialing device) is any device which is interconnected to a voice grade telephone line and is programmed to select a predetermined telephone number, and which transmits by prerecorded voice

message or code signal an emergency message indicating a need for emergency response.

"False alarm" means the activation of an alarm system when an emergency situation, for which the alarm system was designed, does not exist, and to which the Police Department responds. "False alarm" shall not include activation of an alarm system due to external causes beyond the control of the user or subscriber of the alarm system.

"Non-response status" means the category in which an alarm system is placed as a result of specified violations of this Chapter pursuant to which the police department will not respond to alarm activations, other than Panic Alarm activations.

"Notice" means written notice, served personally, mailed, postage prepaid, addressed to the person to be notified at his last known address, or transmitted by electronic mail to the email address of a person who has consented to receive notice at such email address in conjunction with an alarm permit application or otherwise. Service of such notice shall be deemed effected upon completion of personal service, upon deposit of such notice in the United States mail, or upon transmittal of such notice by electronic mail.

"Panic Alarm" means an audible or silent Alarm System signal generated by the manual activation of a device to signal a life threatening or emergency situation requiring law enforcement response such as a robbery or home invasion robbery.

"Permittee" means any person who shall be granted a permit, as provided in this Chapter, and his or its agents and representatives.

"Person" means any individual, partnership, corporation, limited liability company, or other entity.

"Protected premises" means a business or residence in which an alarm system is installed or attached.

"Residence" means a premises used as a dwelling unit, including, without limitation, a single-family dwelling, apartment, condominium, or lodginghouse.

"Robbery" is the felonious taking of personal property in the possession of another, from his person or immediate presence, and against his will, accomplished by means of force or fear.

"SIA Control Panel Standard CP-01" means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-01 Control Panel Standard as may be updated from time to time, that details recommended design features for security systems control panels and their associated arming and disarming devices to reduce false alarms.

"Standards, regulations, requirements, and duties" means the minimum standards of performance for alarm systems installed within the city, as set forth in this Chapter. All devices to be installed under permit issued pursuant to this Chapter shall conform to such performance standards and regulations. The Chief of Police may require inspection and approval of all alarm systems installed within the City.

"Subscriber" means any person who purchases, leases, contracts for or otherwise obtains an alarm system or for the servicing or maintenance of an alarm system from an alarm business.

"User" means any person who obtains, possesses, leases or has installed an alarm system on any premises, whether business or residence.

"Verify" means an attempt by the alarm company to determine whether a burglary alarm signal is valid before requesting law enforcement dispatch by: (1) having an alarm company representative personally verify that the alarm is valid; (2) contacting the alarm site and/or alarm user by telephone, whether or not actual contact with a person is made; or (3) verifying by electronic means. Telephone verification shall require at a minimum that a second call be made to a different number, if the first attempt fails to reach an alarm user who can properly identify themselves, to attempt to determine whether an alarm signal is valid before requesting law enforcement dispatch. Electronic verification shall require verification of a crime by video and/or audible means.

8.60.015: Duties of the Alarm Company

- A. Prior to making an alarm system operable, the alarm company shall provide instructions explaining the proper operation of the alarm system to the alarm user and written information of how to obtain service from the alarm company for the alarm system.
- B. Prior to contacting the Garden Grove Police Department and requesting that the police respond to an alarm system activation, an alarm company shall attempt to verify that the burglary alarm signal is not a false alarm.
- C. An alarm company requesting that the police respond to an alarm system activation shall provide the Garden Grove Police Department with available information about the location and nature of the alarm.
- D. An alarm company shall immediately contact the Garden Grove Police Department to cancel a police response following a determination that response is unnecessary.
- E. An alarm company shall provide a list of new and cancelled alarm sites in the format required by the City every thirty (30) days or upon request by the City.

8.60.020: Business License Required for Alarm Companies

- A. It is unlawful for any person, to own, manage, conduct or carry on an alarm business that services, installs, monitors or responds to alarm systems at the protected premises within the City without first obtaining a City of Garden Grove business license and providing the following information at the time of submitting a business license application:
1. Name of business, and if a corporation, limited liability company or limited partnership, its name, date and place of incorporation or registration with the California Secretary of State and address of its principal place of business, together with the name and business telephone number of the owner or manager and a twenty-four-hour emergency contact number; and
 2. The Alarm Company Operator number and an alarm company qualified manager's (ACQM) phone number.

8.60.030: Alarm Agent - Registration Required in Possession

Any person acting as or performing the duties of an alarm agent within the city shall carry on his or her person at all times while so engaged a valid registration card issued to him or her by the State Director of Consumer Affairs pursuant to the provisions of Section 7514(g) of the California Business and Professions Code, or any successor statute, and shall display such card to any officer or agent of the City upon request.

8.60.040 Subscriber's (Alarm User's) Permit Required

- A. No person shall operate or cause to be operated an alarm system on any premises for more than ten (10) days after the date of installation without first applying for, and thereafter obtaining and maintaining, an alarm permit therefor in accordance with the provisions of this Chapter.
- B. No alarm permit issued under the provisions of this Chapter shall be assignable or transferable.
- C. Alarm permits issued under the provisions of this Chapter are issued as follows:
1. For businesses, for one (1) calendar year from January 1 to December 31, or from the date after January 1 that the application is submitted and approved to December 31 of the same year.

2. For residences, for three (3) calendar years from January 1 of the first year to December 31 of the third year, or from the date after January 1 of the first year that the application is submitted and approved to December 31 of the third year.

The alarm permit application fee will not be prorated based on the date of application.

- D. A separate alarm permit shall be required for each separate premises or address at which an alarm system is used or installed.
- E. A new alarm permit shall be required for a business whenever there is a change in the business's name, ownership, or location.
- F. For an alarm system installed at a residence, a new alarm permit shall be required whenever the name or identity of the alarm user or subscriber changes, including, but not limited to, where there is a change in ownership of the residence. When there is any change in occupants of a residence with an alarm system who are listed as emergency contacts on the permit application, the holder of the alarm permit shall update the information submitted to the City on his or her application as required under Section 8.60.060.

8.60.050 Permit Procedures – Fee

- A. Applications for permits required under this Chapter shall be filed, together with payment of the alarm permit application fee established by resolution of the City Council, on forms furnished by the Police Department. The application shall include, at a minimum, the following information:
 1. The address of the premises where the alarm system is to be located;
 2. The name, physical address, mailing address and telephone number of the alarm permit applicant;
 3. The name and telephone number of a second person who may be contacted in case of an emergency;
 4. The name and telephone number of the person or alarm business who will render service or repairs to the alarm system during any hour of the day or night; and
 5. The name, address, and telephone number of the alarm company.
- B. It shall be the responsibility of the permittee to apply for renewal of the permit and pay the alarm permit application fee at least ten (10) days prior to the expiration of any existing permit.

8.60.060: Notice of Changes

Whenever any change occurs relating to any information as required on the permit application form, the applicant or permittee shall give written or electronic notice thereof to the Chief of Police or designee within a reasonable time not to exceed twenty (20) days after such change.

8.60.070: Alarm System Standards

All alarm systems and appurtenant equipment installed on any premises after *[INSERT EFFECTIVE DATE OF ORDINANCE]* shall meet or exceed SIA Control Panel Standard CP-01 or its equivalent. The City reserves the right to inspect all alarm systems subject to all applicable laws, including Code of Civil Procedure Section 1822.50 et seq.

8.60.080: Alarm System User Regulations

- A. Repairs. When any false alarm caused by a malfunction of an alarm system has occurred, the permittee shall cause the alarm system to be repaired to eliminate the malfunction. The alarm system shall be put on "test" status until the required service or repairs have been completed.
- B. Power Supply. Alarm systems shall be supplied with an uninterruptible power supply in such manner that the failure or interruption of normal utility electricity will not activate the alarm system. The power supply must be capable of at least four (4) hours of operation.
- C. Direct Dial Telephone Devices. No person shall install, operate or maintain any alarm system that directly dials any telephone number of the police department, other than a number expressly designated for that purpose.
- D. Panic Alarm. No person shall activate a manual panic alarm unless the person who activates the alarm has a good faith belief, at the time the person activated the alarm, that a crime, attempted crime, or other emergency at the protected premises or protected property that requires law enforcement response is occurring, is about to occur, or has just occurred.
- E. Knowledge of Alarm System. An alarm user shall be knowledgeable of how to use his or her alarm system and be able to communicate with the alarm company upon activation in an effort to cancel false alarms and without delay schedule necessary follow-up service for their alarm system.

8.60.090 Audible Alarm Requirements

Audible residential alarms shall be equipped with an automatic shut-off mechanism capable of terminating the audible annunciator after activation within a maximum of fifteen (15) minutes. Audible business or commercial alarm systems shall be equipped with an automatic shut-off mechanism capable of terminating the audible annunciator after activation within a maximum of thirty (30) minutes.

8.60.100 Exemptions

The provisions of this Chapter are not applicable to:

1. Alarm systems installed on property owned, leased, or controlled by municipal, county, state, or federal government agencies or special districts, provided the property is being used for governmental purposes and is not leased or licensed to a third-party for non-governmental use; or
2. Audible alarm systems affixed to motor vehicles.

8.60.110 Prohibitions

It is unlawful to install or use an alarm system which, when activated, emits a sound similar to sirens for emergency vehicles or those used for civil defense purposes.

8.60.120: Placement of Alarm System on Non-Response Status

- A. In addition to any other remedies available to the City for violation of any provisions of this Chapter, following reasonable notice to the alarm user, the Chief of Police is authorized to place any silent or audible alarm system on non-response status if he or she determines that:
 1. The alarm system has activated seven (7) or more burglary false alarms within any consecutive three hundred sixty-five (365) day period;
 2. Immediately following an alarm activation, the alarm user or his designated representative has failed to respond in person to the subject premises within one (1) hour of a request for access to the protected premises, upon request to do so by a police officer or a public safety dispatcher who deems a response is necessary to insure the security of the premises or person(s) where the alarm system is installed; or

3. The alarm user has failed to pay any false alarm prevention fee or administrative citation imposed or issued to such user for any violation of this Chapter within the required time.
- B. The Chief of Police shall not place an alarm system on non-response status solely on the basis that an alarm permit has not been obtained.
 - C. Should the Chief of Police place the alarm system on non-response status pursuant to this section, notice shall be given by certified mail, postage prepaid, to the permittee and/or alarm user specifying that the Police Department intends to place the location on non-response status and will no longer respond to alarm calls at that location, other than Panic Alarms, until the permittee has taken steps to eliminate or correct the problem(s), has documented the corrective action in writing to the Chief of Police, and has paid all outstanding assessed fees and/or fines.
 - D. Upon request of the alarm user or subscriber, the Chief of Police shall remove the alarm system location from non-response status if the Chief of Police determines, in his or her reasonable discretion, (1) that the alarm user has taken reasonable necessary corrective action to remedy or prevent the issues that resulted in placement of the alarm system on non-response status, including, but not limited to, correction of any mechanical problems or defects with the alarm system, replacement of the alarm system with a new alarm system, and/or attendance of one or more False Alarm Prevention Classes, and (2) that all outstanding assessed fees and fines have been paid.

8.60.130: Limitation of Liability

The City is under no obligation or duty to any permittee or any other person by reason of any provision of this Chapter, or the exercise of any privilege of any permittee hereunder, including any delay in transmitting an alarm message to any emergency unit or damage caused by delay in responding, or not responding, to any alarm by any City officer, employee or agent. Issuance of an alarm permit by the City is not intended to, nor will it, create a contract, duty or obligation, either express or implied, of police response. Any liability and consequential damage resulting from the failure to respond to an alarm is hereby disclaimed and governmental immunity as provided by law is retained.

8.60.140 False and Non-Permitted Alarm Fees and Penalties

- A. Disconnection of Alarm System. When emergency messages, signals or notices are received by the Police Department, which evidence a failure to comply with the requirements of this Chapter, or a permit issued hereunder, the Chief of Police is authorized to direct that the user or subscriber of the alarm system initiating such alarms, messages, signals, or notices to disconnect the alarm

system until it is made to comply with such requirements. Failure by any person to disconnect an alarm system when directed to do so by the Chief of Police shall constitute a violation of this Section and shall subject such person to criminal and/or administrative citations pursuant to the provisions of this Code.

B. Fees and Penalties for False and Non-Permitted Alarms.

1. The user or subscriber of any alarm system which has caused any signal, message, or alarm to be transmitted to the Police Department, either by telephone or other communication, or by communication from an alarm agent, or an alarm business, or by a person responding to an alarm, and which is determined by the Chief of Police, in his or her reasonable discretion, to be a false alarm, shall be in violation of this Section and shall pay a false alarm prevention fee in an amount established by resolution of the City Council to offset the cost of personnel, equipment, supplies, and administrative costs incurred by the City in responding to the false alarm and administering this Chapter. The user or subscriber of a burglary alarm system for which there exists a current and valid alarm permit shall only be subject to a false alarm prevention fee for a false alarm if such alarm system has generated two (2) or more false alarms within the prior consecutive three hundred sixty-five (365) day period. The user or subscriber of an alarm system for which a current and valid alarm permit has not been obtained and maintained shall be subject to a false alarm prevention fee upon the occurrence of each false alarm.
2. In addition to the payment of applicable false alarm prevention fees, an alarm user or subscriber shall be subject to issuance of an administrative citation pursuant to Chapter 1.22 of this Code (a) for each false alarm in excess of seven (7) false alarms within consecutive three hundred sixty-five (365) day period, or (b) for each activation of an alarm system, whether false or valid, for which a current and valid permit has not been obtained and maintained.
3. Repeated false alarms from the same alarm system may also result in placement of the alarm system on non-response status pursuant to Section 8.60.120 and/or revocation of a user's alarm permit pursuant to Section 8.60.150.

8.60.145: Alarm User Awareness Class

The Chief of Police will oversee creation and implementation of an Alarm User Awareness Class to educate alarm users about the problems and expense created by excessive false alarms and provide instruction in the proper use and maintenance of alarm systems, protocol for false alarms, and advice on how to reduce false alarms.

Such an Alarm User Awareness Class may be offered in person or online, as determined by the Chief of Police in his or her discretion.

- A. An alarm user may attend any established Alarm User Awareness Class designated by the Chief of Police.
- B. Each alarm user who attends an Alarm User Awareness Class shall be responsible for paying all provider fees associated with the program.
- C. An alarm user who successfully completes an Alarm User Awareness Class shall receive a certificate. The certificate may be used in lieu of one (1) payment for one (1) false alarm prevention fee due as a result of a violation of Section 8.60.140, provided that the certificate is submitted within one (1) year of its issuance. No more than one (1) alarm user per premises or property may use a certificate in lieu of payment of a false alarm prevention fee within a one (1) year period.
- D. An alarm user who receives a certificate for successfully completing an Alarm User Awareness Class provided pursuant to this section is not eligible to receive another such certificate for a period of one (1) year.

8.60.150 Permit Revocation

- A. In addition to any other remedies available to the City for violation of any provisions of this Chapter, following reasonable notice to the alarm user, the Chief of Police is authorized to revoke a previously issued alarm permit if he or she determines that:
 - 1. The alarm user, or his/her employee(s) or agent(s), has knowingly made any false, misleading, or fraudulent statement of a material fact to the Police Department in the permit application or renewal process;
 - 2. Any of the circumstances justifying placement of the alarm system on non-response status pursuant to Section 8.60.120 exist;
 - 3. The alarm user has failed to pay any fees or administrative fines imposed on such user for any violation of this Chapter within the required time; or
 - 4. The alarm user is otherwise in violation of any of the provisions of this Chapter.
- B. When an alarm permit is proposed to be revoked, the Chief of Police shall give the permittee at least fifteen (15) days written notice of his or her intention to do so, and the basis for the proposed revocation. A copy of said written notice shall also be provided to the alarm company at the address provided on the

permit application filed pursuant to Section 8.60.050. Upon failure of the user and/or permittee, within fifteen (15) days of the date of the written notice, to (1) to provide written proof satisfactory to the Chief of Police that the issues or violations serving as the bases for the proposed revocation have been corrected, or (2) to file an appeal to the City Manager pursuant to Section 8.60.155, the permit shall be revoked at the expiration of such fifteen-day period, and the alarm shall not be used until a new permit has been issued pursuant to Section 8.60.190.

8.60.155 Appeal to City Manager

- A. If any user or permittee is aggrieved by any action of the Chief of Police pursuant to the provisions of this Chapter, such person may appeal to the City Manager, or his or her designee, by filing with the City Clerk, a notice of appeal fully setting forth the facts and circumstances regarding the action or determination of the Chief of Police which is the subject of the appeal.
- B. This notice of appeal shall be filed not later than fifteen (15) days after service of a notice of the decision which is to be appealed. Where an appeal has been timely filed with the City Clerk, an order of revocation or any other decision of the Chief of Police pursuant to this Chapter shall be stayed pending a determination of the appeal by the City Manager or his/her designee. The permittee shall be allowed to continue to use the alarm system until the appeal process has been exhausted. The order of revocation shall be effective from its initial date of issuance if the City Manager or his or her designee upholds the revocation decision.
- C. The City Manager or his or her designee shall set a time and place to conduct the appeal hearing and provide notice of such to the appellant at least ten (10) days prior to the hearing. The hearing need not be conducted according to technical judicial rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely upon. A copy of the document or instrument providing notice of violation or of the action or determination of the Chief of Police which is the subject of the appeal shall be admitted into evidence as prima facie evidence of the facts stated therein. The decision of the City Manager or his or her designee shall be final.
- D. Failure to timely file a notice of appeal with the City Clerk within fifteen (15) days of the Chief of Police's decision shall constitute a waiver of the appellant's rights to an appeal hearing. If no appeal is filed, the revocation, or other decision of the Chief of Police pursuant to this Chapter shall become final and effective.
- E. All alarm permit application fees paid by permittee shall be forfeited in the event of revocation.

8.60.160: Confidentiality

Except as otherwise required by law, information furnished and secured pursuant to this Chapter shall be confidential in character and shall not be subject to public inspection, and shall be kept so that the contents thereof shall not be known except to persons charged with the administration of this Chapter.

8.60.165: Reserved

8.60.170: Right of Entry

The Chief of Police and his or her designee are authorized to enter upon any property in the city upon which an alarm system has been installed for the purpose of inspection. If permission to enter upon any such property for purposes of inspection is refused, the Chief of Police or his or her designee shall apply to a judge for a warrant authorizing entry upon such property to perform any such inspection.

8.60.175: Administration

The Chief of Police is directed to administer the provisions of this Chapter. The Chief of Police shall have the power and authority to promulgate rules, regulations, and requirements consistent with the provisions of this Chapter and may designate an employee or employees of his or her department to make decisions, investigate, or take any other action permitted or required under this Chapter.

8.60.180 Misdemeanor Complaints

- A. In addition to any administrative, civil, or other fees, fines and/or penalties provided under this Code and/or state law, the operation and activation of any alarm system subsequent to notification of the provisions of this Chapter, and failure to obtain and maintain the permit therefore as required by this Chapter, shall constitute a misdemeanor pursuant to Section 1.04.010 of this Code.
- B. In addition to any administrative, civil, or other fees, fines and/or penalties provided under this Code and/or state law, the operation and activation of any alarm system subsequent to the revocation of an alarm system permit previously issued for such system shall constitute a misdemeanor pursuant to Section 1.04.010 of this Code.

8.60.185: Violation of Chapter

- A. If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council declares that it would have adopted this Chapter and each section, subsection, sentence, clause, phrase or portions thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions might be declared invalid or unconstitutional.
- B. Neither adoption of the ordinance codified in this Chapter nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation of ordinances, where such violations were committed prior to the effective date of the ordinance codified in this Chapter; nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereunder appertaining shall continue in full force and effect.
- C. The provisions of this Chapter, insofar as they are substantially the same as existing provisions of this Code relating to the same subject matter, shall be construed as restatements and configurations and not as new enactments.

8.60.190 Re-Issuance of Alarm Permit

- A. After revocation of an alarm permit, or in the case of an alarm system for which a permit has not been obtained that has been placed on non-response status, no new alarm permit shall be issued for the premises until the following requirements are satisfied:
 - 1. Written proof of correction is provided to the Chief of Police;
 - 2. All false alarm fees and/or administrative citations imposed or issued to such user for any violation of this chapter have been satisfied;
 - 3. The alarm system is determined, in the sole discretion of the Chief of Police, to be in an acceptable working order; and
 - 4. A new alarm permit application and the alarm permit application fee are submitted to the City.