

ORDINANCE NO. 2024

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO FALSE ALARMS, REPEALING AND RE-ENACTING CHAPTER 9.20 OF THE REDMOND MUNICIPAL CODE, ESTABLISHING STANDARDS FOR ROBBERY, BURGLARY, AND MEDICAL ALARM USERS, INCLUDING REGISTRATION, FEES, PROBATIONARY PERIODS, AND SUSPENSION OF POLICE RESPONSE, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, many businesses and residents within the City have central station monitored alarm systems installed on real property under their control; and

WHEREAS, such alarms are designed to notify police and emergency medical service providers of situations involving threats to personal safety such as burglary, robbery, and medical emergencies; and

WHEREAS, when such alarms are activated, the central station monitoring service contacts the Redmond Police Communications Division, resulting in the dispatch of Redmond Police officers or other emergency personnel; and

WHEREAS, the Communications Division receives thousands of such calls every year, most of which are false alarms; and

WHEREAS, the Dispatch Center received approximately 2,950 alarm-related calls for the 1998 calendar year with only three such calls being confirmed valid alarms; and

WHEREAS, Redmond Police Department responses to such false alarms consumes a significant amount of Department resources and diverts police officers from other valid law enforcement duties; and

WHEREAS, Chapter 9.20 of the Redmond Municipal Code presently contains provisions related to false alarms, including registration and false alarm fees; and

WHEREAS, existing City standards are dated and have not proven effective at reducing the rate of false alarm calls within the City; and

WHEREAS, other cities in the Puget Sound region have developed false alarm policies which include suspension or termination of police response to premises which have repeated false alarm calls and found that such policies can result in significant reductions in false alarm reports; and

WHEREAS, the City Council finds that adoption of similar policies within the City is likely to reduce false alarm calls within the City, conserve limited police resources, and otherwise be in the public interest; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
DO ORDAIN AS FOLLOWS:

Section 1. Chapter 9.20 of the Redmond Municipal Code is hereby repealed and re-enacted to read as follows:

**Chapter 9.20
FALSE ALARMS**

Sections:

- | | |
|-----------------|---------------------------------------|
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| 9.20.020 | Definitions. |
| 9.20.030 | Administration. |
| 9.20.040 | Registration Required. |
| 9.20.050 | Service Suspension - Level I. |
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9.20.080	Exemptions.
9.20.090	Effect of Service Suspension.
9.20.100	Verification Required.
9.20.110	Administrative Appeals.
9.20.120	Fees and Penalties.
9.20.130	Fees and Penalties - Exemptions.
9.20.140	Failure to Pay Fees and Penalties.
9.20.150	Prohibited Acts.

9.20.010 Purpose. It is the intent of this chapter to reduce the number of false alarms occurring within the city and recover city expenses associated with police responses to false alarms.

9.20.020 Definitions. For the purpose of this chapter, the following words and terms shall have the meaning ascribed to them below unless the context in which they are used clearly indicates otherwise:

1. "Alarm business" shall mean a business operated by any individual, partnership, corporation, or other entity selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving, or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved, or installed any alarm system on real property.
2. "Alarm monitoring company" shall mean a business operated for the purpose of monitoring the electronic transmission of an alarm signal when activated.
3. "Alarm system" shall mean any system, device, or mechanism which, when activated, transmits an electronic signal to a private monitoring company or some other telephone number, or emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal beyond the premises in some other fashion, except any system, device, or mechanism primarily protecting a vehicle or a medical alarm.
4. "Alarm user" shall mean the person, firm, partnership, association, corporation, company, or organization of any kind that has an alarm system installed in or on their premises.

5. "Alarmed premise" shall mean any enclosed or open area and/or any portion of an area protected by an alarm system.

6. "Burglary alarm system" shall mean an alarm system designed or used for detection and reporting of an unauthorized entry or attempted unauthorized entry upon real property protected by the system.

7. "Corrective action report" shall mean a report, supplied by the Redmond Police Department, requesting alarm monitoring companies to detail what steps were taken to correct an improperly functioning alarm.

8. "Department" shall mean the City of Redmond Police Department.

9. "Duress/panic alarm system" shall mean an alarm system designed or used for alerting police or medical personnel of the need for immediate assistance or aid in order to avoid injury, personal physical harm or other crimes against a person. Duress/panic alarms are commonly secondary features of burglary alarm systems.

10. "False alarm" shall mean the activation of any burglary, robbery, panic, and/or duress alarm system when no crime is being committed or attempted upon a person, real, or other property or when no medical emergency exists. An alarm shall be presumed to be false if the responding police officers do not locate any evidence of an intrusion or commission of an unlawful act or emergency on the premises which might have been legitimate cause for the alarm to activate. This does not include alarms caused by violent acts of nature or other extraordinary circumstances not reasonably subject to control by the alarm user or alarm business.

11. "Probationary period" shall mean a six month period following any service suspension.

12. "Responsible person" shall mean the person who oversees the operation and maintenance of an alarm user's system, or in the absence of such a position, the chief executive officer of the alarm users business or the head of the household of a private residence.

13. "Robbery alarm system" shall mean an alarm system designed or used for alerting others of a robbery or other crime in progress which involves potential serious bodily injury or death.

14. "Service suspension" shall mean a period of time when the Redmond Police Department will not respond to reports of property related alarms. Three separate service suspension levels exist:

a. Level I - A 90-day service suspension for a site not currently on probation which has experienced six or more false alarms in a twelve month period.

b. Level II - A 365 day service suspension for a site which has experienced three or more false alarms while on a Level I six month probationary period.

c. Level III - A permanent service suspension for a site which has experienced three or more false alarms during the six month Level II probationary period.

15. "System subscriber" shall mean a person, corporation, firm, partnership, association, company, organization, or other business entity who purchased, owns, or contracts for the use of any alarm system.

16. "Verification" shall mean an independent method of authentication, used by the alarm monitoring company to determine that a signal from an automatic alarm system reflects the true need for an immediate police response.

9.20.030 Administration.

A. The false alarm reduction program shall be overseen by the department. Officers and volunteers may be assigned to this program as needed and will answer to the supervisor regarding the activities associated with this program.

B. The department shall coordinate the maintenance of records and correspondence necessary to support the false alarm reduction program.

C. The department shall ensure the communication division has an accurate and current list of alarm system suspension sites at all times. This list will designate the premise name, address, and clearly note the period of service suspension and any other pertinent information as determined by the supervisor.

D. The managing employee and the police chief are the only individuals authorized to exercise discretion in administration of any portion of this program.

9.20.040 Registration Required.

A. After June 1, 1999, no person shall operate or use an alarm system on any premises within the City of Redmond, under that person's control, without first having obtained an alarm registration from the finance department. A separate alarm registration shall be required for each premise protected by an alarm system.

B. The department may not respond to an alarm system for which a registration has not first been obtained.

C. For the purposes of this section, a person shall be deemed to be an operator or user of an alarm system if:

1. The person controls both the alarm system and the premises upon which it is installed;

2. The person controls the premises and is the subscriber, client or tenant of the system subscriber;
or

3. The person is the system subscriber or alarm user.

D. All persons required to obtain a registration must complete an application approved by the department and provided by the finance department. All alarm systems require an annual renewal of registration and payment of associated fees. All applications shall include the following

information and such other information as may be prescribed by the department:

1. The subscriber and/or alarm user's name, addresses and telephone number(s);

2. Names and telephone number(s) of three additional persons designated to respond in the event of alarm activation in the absence of the alarm user. Said persons must be capable of providing access to the premises and be able to deactivate the alarm, or provide information on who to contact for access;

3. The electrical inspection permit number for the alarm system;

4. The name of the alarm business responsible for regular alarm system maintenance and the company's electrical contractor's license number;

5. The information required in paragraph 3 and 4 of this subsection shall not apply to alarms which are installed by the homeowner/tenant;

6. The information required in paragraph 3 of this subsection shall not apply to existing alarms or alarms that are installed in multiple-tenant buildings.

E. Failure to provide all required information will result in automatic denial of the registration and may result in no police response to alarm activations at the alarmed premise.

9.20.050 Service Suspension - Level I. The following provisions and procedures shall apply to Level I service suspensions:

a. After the second false alarm, a \$25 fee will be assessed.

b. After the third false alarm, a \$50 fee will be assessed.

c. After the third false alarm during a twelve-month period, and by no later than the fifth such alarm, a

corrective action report will be provided to the alarm monitoring company by the department. Failure by the alarm monitoring company to respond to the corrective action report within 10 business days will result in service suspension until such time as the corrective action report is submitted. A letter will be sent to the alarm monitoring company and the alarm user to apprise them of the potential for service suspension and the deadline for submitting the corrective action report.

d. The fourth false alarm, during a twelve-month period, will result in a \$75 fee being assessed against the alarm user.

e. The fifth false alarm, during a twelve-month period, will result in a \$100 fee being assessed.

f. As soon as practical after the fifth false alarm during a twelve month period, a letter shall be delivered in person or by certified mail to the responsible person for the alarm system and the alarm monitoring company informing them that service suspension will occur if there is one more false alarm during the twelve month period.

g. Following the sixth false alarm in a twelve-month period, the supervisor, with the approval of the police chief, will set a service suspension date.

h. The alarm monitoring company and the alarm user shall be provided written notice in person or via certified mail of the service suspension date prior to implementation of said suspension.

i. The alarm monitoring company will be provided a blank corrective action report for submittal to the department prior to the expiration of the service suspension period. Failure by the alarm monitoring company to respond to the corrective action report prior to expiration of the suspension period will result in continued service suspension until such time as the corrective action report is submitted. The alarm monitoring company and alarm user shall be notified of the consequences of failing to submit the corrective action report.

j. The managing employee will notify the communications division of the service suspension and effective dates.

k. Except as otherwise provided in this chapter, the department will not respond to an alarm activation during the ninety-day period beginning from the first date of service suspension.

l. Prior to the expiration of the ninety day service suspension, the managing employee will verify whether a completed corrective action report has been submitted by the alarm monitoring company. If not, the managing employee will contact the company to determine the status of the report and advise them that service will not be restored until the report is received.

m. Upon the expiration of the ninety-day service suspension, the alarm user will be placed on a six-month probationary period.

9.20.060 Service Suspension - Level II. The following provisions and procedures shall apply to Level II service suspensions:

a. After the first false alarm during the probationary period, a \$25 fee will be assessed.

b. After the second false alarm during the probationary period, a \$50 fee will be assessed.

c. As soon as practical after the second false alarm while on Level I probation, a letter shall be delivered in person or by certified mail to the responsible person for the alarm system and the alarm monitoring company informing them of the pending service suspension if there is one more false alarm during the probationary period.

d. Following the third false alarm during a Level I probationary period, the managing employee, with the approval of the police chief, will set a service suspension date.

e. The alarm monitoring company and the alarm user shall be provided written notice in person or via

certified mail of the service suspension date, prior to implementation of response suspension.

f. The alarm monitoring company will be provided a blank corrective action report for submittal to the department prior to the expiration of the service suspension period. Failure by the alarm monitoring company to respond to the corrective action report prior to expiration of the suspension period will result in continued service suspension until such time as the corrective action report is submitted. The alarm monitoring company and alarm user shall be notified of the consequences of failing to submit the corrective action report.

g. The managing employee will notify the communications division of service suspension and the effective dates.

h. Except as otherwise provided in this chapter, the department will not respond to an alarm activation during the 365-day period beginning from the first date of service suspension.

i. Prior to the expiration of the 365 days, the managing employee will verify whether a completed corrective action report has been submitted by the alarm monitoring company. If not, the managing employee will contact the company to determine the status of the report.

j. Upon the expiration of the 365-day service suspension period, the alarm user will be placed on a six-month probationary period.

9.20.070 Service Suspension - Level III. The following provisions and procedures shall apply to Level III service suspensions:

a. After the first false alarm during the probationary period, a \$25 fee will be assessed.

b. After the second false alarm during the probationary period, a \$50 fee will be assessed.

c. As soon as practical after the second false alarm while on Level II probation, a letter shall be delivered in person or by certified mail to the responsible

person for the alarm system and the alarm monitoring company informing them of the pending permanent response suspension if there is one more false alarm during the probationary period.

d. Following the third false alarm during a Level II probationary period, the managing employee, with the approval of the police chief, will set a permanent service suspension date.

e. Prior to implementation of permanent response suspension, the alarm monitoring company and the alarm user shall be provided written notice in person or via certified mail of the service suspension date.

f. The managing employee will notify the communications division of the permanent service suspension.

g. Except as otherwise provided in this chapter, the department will not respond to an alarm activation ~~during~~ from the first date the permanent service suspension ~~going~~ into effect.
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9.20.080 Exemptions. The managing employee may, in his or her discretion, not include false alarm activations generated by a newly installed and registered alarm system during the first five business days immediately following the initial installation thereof.

9.20.090 Effect of Service Suspension. Suspension of response under this chapter shall apply only to burglary and property alarms and shall not apply to any robbery, panic, or duress alarms. However, all such alarms shall be counted in determining the total number of false alarms received.

9.20.100 Verification Required. No alarm monitoring company shall contact the department or communications division to report an alarm activation unless a verification procedure has been utilized by said company to ascertain whether the activation is a false alarm. Verification shall not be required on robbery, duress, or panic alarm activations.

At a minimum, the verification procedure shall consist of:

1. Attempt by alarm monitoring company to call the alarm site to determine if the alarm was accidentally activated by an authorized occupant of the building;
2. Calling an emergency contact to determine if there should be an individual at the premise at the time the alarm was activated; or
3. Audibly or visually monitor the premise utilizing electronic means.

9.20.110 Administrative Appeals.

A. An alarm user may appeal the validity of a false alarm determination to the City Hearing Examiner. The request for an appeal must be in writing and filed with the city clerk within 15 days of the date of notification is sent by the city. Failure to contest the false alarm determination in the required time period shall result in a conclusive presumption for all purposes that the alarm was false.

B. The appeal hearing shall be before the hearing examiner and a written transcript or tape recording of the proceedings shall be kept. The alarm user and the city shall have the right to present written and oral evidence and call witnesses. If the hearing examiner determines that the activation was a valid alarm, the hearing examiner shall order the false alarm designation removed from the alarm user's record. If the false alarm designation is determined to be valid, the designation shall be entered upon the alarm user's record and the finance department shall pursue collection of any penalties or fees. In either case, the hearing examiner shall enter written findings setting forth the basis for his or her decision.

9.20.120 Fees and Penalties.

A. In addition to other penalties set forth in this chapter, the following fees and penalties shall be assessed against the alarm user and/or alarm monitoring company by the city:

Initial alarm registration	\$10.00
Renewal of alarm registration	\$10.00
Failure to Verify an Alarm	\$250.00

B. All fees and penalties shall be collected by the finance department.

9.20.130 Fees and Penalties - Exemptions. The following persons shall be exempt from penalties imposed under RMC sections 9.20.050, 9.20.060, and 9.20.070:

1. Persons over the age of 62 that reside within the alarmed premises when no business activities are conducted within the same;

2. Businesses which are nonprofit organizations, including but not limited to religious, civic, charitable, benevolent, nonprofit, cultural, governmental or youth organizations.

9.20.140 Failure to Pay Fees and Penalties. Failure by any person, firm, partnership, association, corporation, company or organization to pay any fees or penalties imposed under this chapter shall result in a service suspension until the fee is paid. Payment must be made to the finance department within 15 days of mailing notice to pay and all such notices shall contain a notice stating that failure to pay the fee or penalty will result in service suspension.

9.20.150 Prohibited Acts. No person shall:

1. Operate or use an alarm system, which emits an audible sound where such emission does not automatically cease within fifteen minutes. Any alarm system which does not meet the requirements of this subsection or which, because of repeated audible activations, significantly disturbs the peace of the neighborhood, shall deemed to be a nuisance. In those incidents when the alarm is declared a nuisance, and no other alternatives exist, the department may disable the alarm.


2. Use an alarm system to protect more than one licensed business or private residence without receiving a separate registration for such business or private residence.

3. Operate or use any alarm system for which the registration or service response has been suspended.

4. Operate or use any alarm system that automatically dials the department directly and delivers a pre-recorded message. The department may not respond to an alarm of this type.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

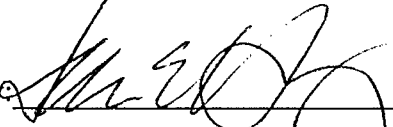
Section 2. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By 

FILED WITH THE CITY CLERK: April 28, 1999
PASSED BY THE CITY COUNCIL: May 4, 1999
SIGNED BY THE MAYOR: May 4, 1999
PUBLISHED: May 8, 1999
EFFECTIVE DATE: May 13, 1999
ORDINANCE NO. 2024