

ORDINANCE 740

CITY OF LACEY

AN ORDINANCE READOPTING CHAPTER 14.11 OF THE LACEY MUNICIPAL CODE RELATING TO THE INSTALLATION OF THEFT DETECTION AND HOLDUP ALARM SYSTEMS AND PROVIDING PENALTIES FOR THE VIOLATIONS OF THE TERMS OF SAID CHAPTER

WHEREAS, the City Council duly considered, passed, and published an ordinance or ordinances enacting the chapter of the Lacey Municipal Code identified in the title to this ordinance relating to the subject matter so identified, and

WHEREAS, it has been asserted that ordinances of the City should have been posted in three public places in the City rather than published in the City's official newspaper, and if said assertion is upheld, the validity of that portion of the Lacey Municipal Code identified in the title to this ordinance may be in jeopardy and the Council takes this action in readopting the substantive provisions of said chapter solely for the purpose of protecting the City and its citizens against such a contingency; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Chapter 14.11 of the Lacey Municipal Code is hereby readopted to read as follows:

Chapter 14.11THEFT DETECTION AND HOLDUP ALARM SYSTEMSSections:

- 14.11.005 Application of chapter provisions.
- 14.11.010 Indemnity agreement.
- 14.11.020 Theft detection and holdup alarm systems.
- 14.11.030 Prohibited equipment.
- 14.11.040 Installation standards.
- 14.11.050 Terminations and false alarms.
- 14.11.060 Violations and penalties.

14.11.005 Application of chapter provisions. This chapter shall apply only to theft detection or holdup alarm systems or equipment designed to be monitored so as to convey to a dispatch center, either electronically or by voice, a message for the purpose of evoking a police response. None of the provisions of this chapter shall apply to the installation or maintenance of alarms which are not so monitored. (Ord. 648 §1, 1982).

14.11.010 Indemnity agreement. Any person, firm or corporation desiring to originate a theft detection or holdup alarm system within the city shall first sign an indemnity agreement holding the city harmless from any liability involving the failure of any agency alarm, circuit or equipment or the discontinuance of emergency response actions ordered because of such failure. (Ord. 451 (part), 1977).

- 14.11.020 Theft detection and holdup alarm systems.
- A. No person shall sell, install, or maintain theft detection or holdup alarm equipment within the city without first obtaining a permit from the chief of police of the city, or with the chief's approval from any other police agency within Thurston County which has, prior to the issuance of the permit or identification card, conducted a criminal history check of the person.
 - B. All theft detection and holdup alarm equipment installed within the city shall receive the approval of the chief of police prior to installation.
 - C. Alarm testing shall be the responsibility of the subscriber and/or the alarm company. No alarm verifications will be conducted by the Lacey police department.
 - D. Alarm subscribers shall provide to their alarm company or to central dispatch of Thurston County, a notice of telephone numbers at which persons authorized to enter the

premises of the subscriber can be reached at all times so that one of said persons is able to respond to the premises within thirty minutes after being notified by the police to do so.

E. Alarms shall not be activated to summon police for any purpose other than the purpose for which the alarm exists (burglar alarms for burglaries; holdup alarms for robberies). (Ord. 648 §2, 1982: Ord. 451 (part), 1977).

14.11.030 Prohibited equipment. A. Proprietary alarm equipment designed to alert any municipal emergency service by providing unattended automatic dialing of any public telephone number of any municipal emergency service for the purpose of transmitting a prerecorded message is prohibited.

B. Combination alarms designed to alert any municipal emergency service will not be allowed within the city unless there is a distinct separation in the transmittal of any specific alarm activation. For purposes of this section, combination alarms shall include but not be limited to devices combining burglary and fire alarms, devices combining burglary and holdup alarms, and devices combining burglary and trouble alarms. (Ord. 648 §3, 1982: Ord. 451 (part), 1977).

14.11.040 Installation standards. All theft detection and holdup alarm systems shall be installed in accordance with the ordinances and building codes of the city. (Ord. 451 (part), 1977).

14.11.050 Terminations and false alarms. A. A false alarm shall mean the activation of said alarm by means other than for which the alarm is intended, including, but not limited to, alarm malfunctions, power failure and employee error. If a question arises as to the validity of an alarm, the final determination will be made by the chief of police or his designate.

B. The chief of police may order the removal of any proprietary alarm termination from the communications center and/or refuse to allow police response due to repeated failure of equipment or circuitry, multiple false alarms or failure to comply with all the provisions of this chapter. Such notice of discontinuation shall be made in writing to both the agency supplying the alarm and to the person, firm or corporation affected, at least three business days prior to the disconnection of the alarm circuit. In the event of temporary failure of alarm equipment or circuitry, the chief of police may order all emergency response actions discontinued until the necessary repairs are made on the affected equipment.

C. In instances involving more than two false alarms causing police response from any one location within any continuous ninety-day period, the following service charges shall be levied by the chief of police:

Third false alarm within a continuous ninety-day period...\$ 50.00;
 Fourth false alarm within a continuous ninety-day period.. 75.00;
 Fifth and each subsequent false alarm within a continuous
 ninety-day period..... 150.00.

provided, however, that if the chief of police determines that a new system has been installed or adequate repairs have been made to an existing alarm system, a new continuous ninety-day period shall commence following said new installation or satisfactory repair.

D. The false alarm penalty referred to in subsection C of this section will be billed directly by the city to the alarm customer involved in said false alarm. If the city does not receive payment of the penalty within sixty days from the date of billing, the city may terminate police response to said alarm until the penalty is paid.

E. Any alarm customer may, within ten days of receiving notice of a service charge for a false alarm, appeal said charge to the city manager if the customer feels that said charge was improperly assessed. A decision by the city manager upon said appeal shall be final. (Ord. 648 §4, 1982: Ord. 451 (part), 1977).

14.11.060 Violations and penalties. Any person, firm or corporation violating any of the provisions of this code is guilty of a misdemeanor and each person is deemed guilty of a separate offense for each day during which any violation of any of the provisions of this code is committed, or continued, and upon conviction of any such violation, shall be punishable by a fine of not more than five hundred dollars. (Ord. 451 (part), 1977).

Section 2. It is the intent of the City Council in passing this ordinance to readopt the provisions set forth herein only if said readoption is ruled necessary. It is further the intent of the City Council to reaffirm all of the provisions of Chapter 14.11 of the Lacey Municipal Code as originally adopted and further amended by ordinances of this Council.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON this 28th day of March, 1985.

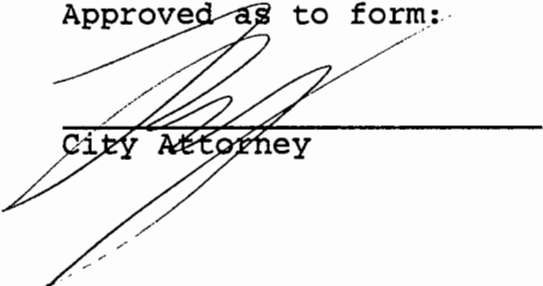
CITY COUNCIL

By 
Mayor

Attest:


City Clerk

Approved as to form:


City Attorney

Posted: March 29, 1985