

CHAPTER 6.60

BURGLAR ALARMS

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6.60.010: Scope: This Chapter licenses burglary, robbery, and other alarms designed to detect or alert the Police Department or the public generally of criminal activities and those who sell, install, and service such alarms. Because of the serious threat that false alarms pose to the public safety, the provisions of this chapter shall be construed so as to best promote the public health, safety and welfare. The purpose of this chapter is to encourage security alarm users and security monitoring companies to maintain the operational reliability and to properly use alarm systems to reduce unnecessary police responses to false alarms and to require in-person or other independent verification before police respond to emergency calls at premises where an automatic property or automatic burglary alarm system has a record of unreliability. (Ord. 3482 Sec. 1 (part), 1993; Ord. 3097 Sec. 1, 1987; Ord. 2615 Sec. 1 (part), 1981)

6.60.020: Class: Alarm Licenses shall be Class II Licenses. (Ord. 2615 Sec. 1 (part), 1981)

6.60.025: Fee: The fee for an alarm license is \$40.00 at the time of installation. A new fee is required each time a new system or additional system is installed or there is any major renovation, expansion, or modification of an existing system. The fee for annual alarm license renewal is \$25.00 per year. License renewal shall take place in January of each year. The fee for an alarm dealer or alarm system monitoring company is \$250.00 per year. The fee for a person who installs, services, or maintains alarm systems shall be \$75.00. (Ord. 5008 Sec. 19, 2003; Ord. 3482 Sec. 1 (part), 1993; Ord. 3097 Sec. 2, 1987)

6.60.030: Definitions:

(1) "Alarm" means any burglary, or similar alarm device, other than a device designed solely to detect fire or the products of combustion, which is designed to alert police, the public, or any person of the commission or attempted commission of a crime by any means.

(2) "Alarm Dealer" means any person who sells, services, installs, maintains, repairs, or places alarms.

(3) "Alarm System Monitoring Company" means any individual, partnership, corporation, or other form of association, that engages in the business of monitoring property, burglary, robbery, or panic alarms, and reporting any activation of such alarm systems to the Kennewick Police Department.

(4) "Alarm System User" means the person having or maintaining a property, burglary, robbery, or panic alarm. It means only the subscriber when the system is connected to an alarm system monitoring company.

(5) "Burglary Alarm." See "Property Alarm" below.

(6) "False Alarm" means the activation of a property or burglary alarm when (a) there is no evidence of a crime or other activity on the premises that would warrant a call for immediate police assistance or police investigation; and (b) no individual who was on or near the premises or who had viewed a video communication from the premises, called for the dispatch, or confirmed a need for an immediate police response.

(7) "Panic Alarm." See "Robbery Alarm" below.

(8) "Person" means any individual, partnership, corporation, trust, incorporated or unincorporated entity, or other entity or group of persons, but excludes the United States, the State of Washington, and any political subdivision or municipal corporation thereof.

(9) "Property Alarm" or "Burglar Alarm" means any system, device, or mechanism for detection and reporting of any unauthorized entry or attempted entry or property damage upon real property protected by the system which may be activated by sensors or other techniques, and when activated, automatically transmits a telephone message, emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal beyond the protected premises.

(10) "Residence" means a building or structure or portion thereof designed to be used as a place of abode for human beings and not used for any other purpose. The term includes all dwelling units. See KMC 18.09.090.

(11) "Robbery Alarm" or "Panic Alarm" means any system, device, or mechanism activated by an individual on or near the premises that alerts others that a robbery or any other crime is in progress, or that the user is in need of immediate assistance or aid in order to avoid injury or serious bodily harm, and that meets the following criteria: The system is installed on real property (the "protected premises"); it is designed to be activated by an individual for the purpose of summoning assistance to the premises; it transmits a telephone message or emits an audible, visible, or electronic signal that can be heard, seen, or received by persons outside the protected premises; and is intended to summon police assistance to the premises. (Ord. 3482 Sec. 1 (part), 1993; Ord. 3097 Sec. 3, 1987; Ord. 2615 Sec. 1 (part), 1981)

6.60.040: License Required: No person shall be in the business of an alarm dealer or shall have or maintain on any premises an alarm unless he has first obtained a license therefor. In addition to a license the licensee shall maintain and keep current an emergency response card with the Police Department. (Ord. 3097 Sec. 4, 1987; Ord. 2615 Sec. 1 (part), 1981)

6.60.041: Limitations: No person shall be issued an alarm dealer's license nor be employed by an alarm dealer to install, service, sell, or otherwise deal with alarms if a preliminary criminal history check reveals that an applicant has been convicted of any felony or any offense not constituting a felony but which because of its nature would render the installer a security risk, or any offense involving moral turpitude as determined by the police chief. Employers of an individual who possess a license to install or maintain alarms shall immediately notify the License Officer whenever such employee has been convicted for any

criminal violation of the laws of the State of Washington. The employer must return such license upon termination of the employee for any reason. (Ord. 5008 Sec. 23, 2003)

6.60.042: Identification Required:

(1) All persons who install, service, or maintain alarm systems must possess an identification card supplied by the License Officer. Such individuals shall display this identification card to persons lawfully on the premises where the alarm is located or upon request by any police officer.

(2) Any card issued pursuant to this section may be revoked or suspended by the police chief upon conviction of any of the above offenses, after the cardholder is given notice and an opportunity to show cause why the revocation or suspension should not occur.

(3) A renewal fee for the identification card supplied by the License Officer shall be made through application and payment of \$75.00. Renewal of the identification card is required in January of each year. If a criminal history check reveals that renewal applicant has been convicted of any felony or any offense not constituting a felony but which because of its nature would render the installer a security risk, or any offense involving moral turpitude as determined by the police chief, the identification card to install alarms will be denied and the application fee forfeited by the applicant. (Ord. 5008 Sec. 24, 2003)

6.60.045: Regulations:

(1) At the time of installation (or sale if the alarm is to be user installed) the dealer shall provide the user with a complete set of instructions. The License Officer may require supplemental instructions when he deems them warranted.

(2) All dealers shall be responsible for obtaining an alarm license at the time of installation. (This license supplements but does not substitute for any other required building, electrical, or other permit.) The License Officer may inspect any alarm before, during, and after installation at reasonable times and upon reasonable notice. The dealer shall forward the application along with the required permit fee to the License Officer. If the dealer only sells the alarm, he must provide the purchaser with an alarm license application and forward a copy with the purchaser's name and address to the License Officer. Any business that sells security systems in the City of Kennewick must post notice that an alarm license is required and instruction on how to obtain such a license.

(3) Every alarm system monitoring company must:

- (a) Provide the License Officer such information about the nature of its property alarms, burglary alarms, robbery alarms, and panic alarms; its method of monitoring; its program for preventing false alarms; and its methods of disconnecting audible alarms, each as the License Officer may require by rule;
- (b) Maintain a current list of all subscribers' names and the associated protected premises it serves, which shall be accessible to the License Officer at all times;
- (c) When the License Officer reports that there appears to have been a false alarm at a subscriber's premises, work cooperatively with the subscriber and the License Officer in order to determine the cause thereof and prevent recurrences; and
- (d) Maintain a verification process with those subscribers who have an automatic alarm system to prevent false alarms from resulting in unnecessary police dispatches.

Verify means an attempt by the Monitoring Company, or its representative, to contact the Alarm Site and/or Alarm User by telephone and/or other electronic means, whether or not actual contact with a person is

made, to determine whether an alarm signal is valid before requesting law enforcement dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Request. For the purpose of this ordinance, telephone verification shall require, as 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 determine whether an alarm signal is valid before requesting law enforcement dispatch. The verification process must not take more than five (5) minutes calculated from the time that the alarm signal has been accepted by the alarm monitoring company until a decision is made whether to call for a police dispatch. The means of verification may include one or more of the following:

- (i) The establishment of voice communication with an authorized person at or near the premises who may indicate whether or not need for immediate police assistance or investigation exists;
- (ii) A feature that permits the alarm system user or a person authorized by the user to send a special signal to the alarm system monitoring company that will cancel an alarm immediately after it has been sent and prevent the monitoring company from requesting a police dispatch;
- (iii) The installation of a video system that provides the alarm system monitoring company when the signal is received with the ability to ascertain that activity is occurring which warrants immediate police assistance or investigation;
- (iv) A confirmation that a signal reflects a need for immediate police assistance or investigation either by the alarm system user, a person at or near the premises, or an alternate response agency made before dispatching police;
- (v) An alternative system that the License Officer determines has or is likely to have a high degree of reliability;
- (vi) Each alarm system user shall provide a written explanation of why an alarm was activated and what corrective measures have been taken to prevent a similar occurrence. This report must be made within 72 hours of the false alarm;
- (vii) Licensees may make special arrangements with the License Officer to test or experiment with alarms on such terms and conditions as the License Officer may find appropriate;
- (viii) Annually or upon any change in circumstances to a system or its user, each alarm system user must make a report to the License Officer containing such information as he may require in accomplishing the purpose of this chapter. If a user fails to make such a report within thirty days of a request by the License Officer, his license is revoked. The license may be reinstated by completing the report and paying the installation fee. (Ord. 5079 Sec. 1, 2005; Ord. 5008 Sec. 20, 2003; Ord. 3482 Sec. 1 (part), 1993; Ord. 3097 Sec. 1, 1987)

6.60.050: Prohibited Acts:

(1) No person shall cause or allow the activation of any alarm except in the event of the commission or attempted commission of a criminal act; provided, that it shall be no defense that the criminal act was a violation of this Chapter.

(2) No person shall cause or allow any alarm, audible on abutting property, to continue for a period in excess of 15 minutes after notice thereof. Such an alarm constitutes a public nuisance subject to summary abatement by the License Officer.

(3) No alarm may dial or transmit directly into the Emergency Dispatch Center (911). No alarm may dial any number without prior, written arrangements from the person in charge of the number to be called. (Ord. 3482 Sec. 1 (part), 1993: Ord. 3097 Sec. 6, 1987: Ord. 2615 Sec. 1 (part), 1981)

6.60.055: Infraction: In addition to the penalties provided in Section 6.01.150, all violations of this chapter by an alarm system monitoring company are Class 1 infractions, and all other violations are Class 3 infractions. (Ord. 3482 Sec. 2, 1993)

6.60.060: Revocation, Suspension and Penalties: For each false alarm the License Officer may assess a fee in accord with the following schedule:

1st False Alarm within 6 Months	=	No Charge.
2nd False Alarm within 6 months	=	\$50.00 Each.
3rd False Alarm within 6 Months	=	\$75.00.
4th or More False Alarms within 6 Months	=	\$100.00 Each.

If the License Officer finds that the potential usefulness of the alarm is outweighed by the hazard of recurring false alarms, he may suspend or revoke the license, but if the premises upon which the alarm is situated is required by law to have an alarm, he may alternatively assess a penalty not to exceed \$100.00 for each false alarm in excess of three within the preceding six-month period. The License Officer, or on review the Appeals Commission, may suspend, revoke or refuse to issue a license if the licensee or applicant has violated any of the provisions of this Title. They may also assess a penalty of not less than \$25.00 nor more than \$500.00. They may also order that compensatory damages or restitution be paid to anyone injured as the result of a violation. The failure of the licensee to pay an assessment, damages, or restitution automatically suspends the license until such time as they are paid. Suspensions, revocations, penalties, damages, and restitution are suspended during the course of hearing, appeal, and review unless the License Officer or Commission finds that the licensee or applicant's claim is meritless. (Ord. 5079 Sec. 2, 2005: Ord. 5008 Sec. 21, 2003: Ord. 3589 Sec. 2 (part), 1996: Ord. 3482 Sec. 1 (part), 1993: Ord. 3429 Sec. 14, 1992: Ord. 3160 Sec. 14, 1988: Ord. 3097 Sec. 7, 1987: Ord. 2615 Sec. 1 (part), 1981)