

ORDINANCE NO. 2280

AN ORDINANCE REPEALING ORDINANCE NO. 1329, PASSED OCTOBER 13, 1980, AND SECTION 9 OF ORDINANCE NO. 1632, PASSED JUNE 22, 1987, DEALING WITH THE REGULATION OF ALARM SYSTEMS.

WHEREAS, the City of Hermiston staff is conducting a major review of the City's ordinances;

WHEREAS, since 1997 the Hermiston Police has not had to enforce Chapter 95, "Alarm Systems." At one time there was a "switchboard" for alarms in the former dispatch center, but that switchboard was removed about the early to mid-nineties; and

WHEREAS, a need for the ordinance is not necessary when there are security systems available through the internet that are self-monitoring or offer professional monitoring, now, therefore,

The City of Hermiston ordains as follows:

Section 1. Ordinance 1329 and Section 9 of Ordinance 1632 are repealed, and Chapter 95 of the Hermiston Code of Ordinances is amended to read:

(New language is in *italics* and deleted language has a ~~line through it~~.)

CHAPTER 95 ~~Alarm Systems~~ *[Reserved]*

Section

~~95.01—Short title~~

~~95.02—Purpose~~

~~95.03—Definitions~~

~~95.04—User permits required~~

~~95.05—Duties of alarm business~~

~~95.06—Unauthorized automatic dialing services~~

~~95.07—False alarms~~

~~95.08—Equipment testing~~

~~95.99—Penalty~~

~~95.01 SHORT TITLE.~~

~~This chapter shall be known as the Alarm Control Ordinance. (Ord. 1329, passed 10-13-80)~~

~~95.02 PURPOSE.~~

~~The purpose of this chapter is to protect the emergency services of the city from abuse and misuse. (Ord. 1329, passed 10-13-80)~~

95.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~ALARM BUSINESS.~~ The business by an individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any burglar, robbery or fire alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.

~~ALARM SYSTEM.~~ Any assembly of equipment, mechanical or electrical, arranged to signal the presence of illegal entry or activity requiring urgent attention and which is interconnected to the City Emergency Communications Center.

~~ALARM USER.~~ The person, firm, partnership, association, corporation, company, or organization of any kind in control of a premises wherein an alarm system is being maintained.

~~AUTOMATIC DIALING DEVICE.~~ A device which is interconnected to a regular telephone line and is programmed to select a particular phone number so that a prerecorded voice message or a code signal indicating the existence of a situation detected by an alarm system may be transmitted to the selected telephone number.

~~CHIEF OF POLICE.~~ The head of the Police Department or his designated representative.

~~CITY EMERGENCY COMMUNICATIONS CENTER.~~ The facility used to receive emergency and general information from the public by the Police and Fire Department, better known as the Public Safety Center.

~~FALSE ALARM.~~ An alarm signal necessitation response by the Police or Fire Department where an emergency situation does not exist. Alarm signals occurring due to acts of God or due to off-premises causes are not FALSE ALARMS.

~~INTERCONNECT.~~ To connect an alarm system including an automatic dialing device to a telephone line either directly or through a mechanical device that utilizes a telephone for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

~~PRIMARY TRUNK LINE or EMERGENCY TELEPHONE LINE.~~ A telephone line or lines serving the City Emergency Communications Center that is designated by the Chief of Police to receive emergency calls.

(Ord. 1329, passed 10-13-80)

95.04 USER PERMITS REQUIRED.

(A) — All existing and future users of burglary, robbery or fire alarm systems shall obtain an alarm users permit from the office of the Chief of Police upon the effective date of this chapter or pursuant to use of an alarm system. Systems using robbery, burglary or fire alarm capabilities are required to obtain a permit for each function. Application for the burglar, robbery, or fire alarm permit and a fee, as established by resolution of the City Council, for each must be filed with the Chief of Police for each year or part thereof. All permits shall expire on the date of June 30. Each permit will bear the signature of the issuing official and the Chief of Police and shall be valid for a period not to exceed one year. The permit shall be physically upon the premises using the alarm system and there available for inspection by the Chief of Police.

(B) — Residential alarm users over the age of 65 and being the principal occupant of the premises wherein no business is conducted will not be required to pay the permit fee but will be required

to obtain a permit within the 60 days after the need for the permit arises.
(Ord. 1329, passed 10-13-80)

~~95.05 DUTIES OF ALARM BUSINESS.~~

(A) ~~Every alarm business selling or leasing to any user an alarm system which is installed upon a premises that is interconnected to the City Emergency Communications Center shall furnish that person with instructions that provide adequate information to enable persons using the equipment to operate it properly and where to obtain service for the equipment at any time.~~

(B) ~~If the Chief of Police determines in his reasonable discretion that the information is incomplete, unclear, or inadequate, he may require the alarm business to revise the information to meet his approval and then to distribute the revised information to alarm users.~~

~~(Ord. 1329, passed 10-13-80)~~

~~95.06 UNAUTHORIZED AUTOMATIC DIALING SERVICES.~~

(A) ~~It is unlawful for any person to program an automatic dialing device to select a primary trunk line and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to select a primary trunk line within 24 hours of notice that it is so programmed.~~

(B) ~~Within 60 days of the effective date of this chapter, all existing, automatic dialing devices programmed to select a primary trunk line will be reprogrammed or disconnected if the device is located within the corporate limits of the city.~~

(C) ~~It is unlawful for any person to program an automatic dialing device to select any emergency telephone line assigned to the City Emergency Communications Center. It is unlawful for an alarm user to fail to disconnect or reprogram within 24 hours of notice of an automatic dialing device which is programmed to select an emergency telephone line assigned to the City Emergency Communications Center.~~

~~(Ord. 1329, passed 10-13-80) Penalty, see § 95.99~~

~~95.07 FALSE ALARMS.~~

~~Signals from an alarm system which are false alarms are hereby declared to be a public nuisance. The user may have an allowance of four false alarms occurring within a one-year period starting from the date an alarm permit is issued until it expires one year later or until June 30, whichever occurs first. The fifth false alarm within that one-year period shall be subject to a service charge as established by resolution of the City Council charged to the user of the alarm system. Any additional false alarms occurring within that same one-year period shall be subject to an additional fee. Payment of service charges are payable within 60 days of notification that the charges are due. Failure to pay the assessed service charge shall result in the user's permit being suspended and his alarm system immediately terminated. Determination of whether or not the alarm falls within the definition of false alarm is the sole discretion of the Chief of Police.~~

~~(Ord. 1329, passed 10-13-80)~~

~~95.08 EQUIPMENT TESTING.~~

~~Whenever a user of an alarm system deems it necessary to test or otherwise intentionally set off or activate an alarm system located on his premises, he shall notify the City Emergency Communications Center that he intends to test or otherwise intentionally activate that alarm prior to actual tests being conducted. Failure to do so will result in that user being considered as~~

~~having had a false alarm.
(Ord. 1329, passed 10-13-80)~~

~~95.99 PENALTY.~~

~~Any person violating any of the provisions of this chapter commits a Class A violation.
(Ord. 1329, passed 10-13-80; Am. Ord. 1632, passed 6-22-87)~~

Section 2. This ordinance shall take effect on the 30th day after its adoption.

ADOPTED by the Common Council this 28th day of October 2019.

SIGNED by the Mayor this 28th day of October 2019.

Dave Drotzmann, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER