Article V. Burglary and Robbery Alarm Permit.

Sec. 13-5-1. Short title.

This article shall be known as the "Burglary and Robbery Alarm Permit Ordinance of the City of Woodland." (Ord. No. 1188, \S 2 (part).)

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Sec. 13-5-2. Definitions.

For the purposes of this article, the following words and phrases shall have the meaning respectively ascribed to them by this section:

- (1) "Alarm company" means any person, retail establishment, organization, answering service, central station or modified central station that installs, connects, or monitors burglary, robbery, or other alarm security systems for profit or other consideration. Such companies must be licensed in accordance with Business and Professions Code Section 7590 et seq.
- (2) "Alarm system" means any mechanical or electrical device which is designed or used for the detection of an unauthorized entry into a building, structure or facility or for alerting others of the commission of an unlawful act within a building, structure, or facility, or both; and which emits a sound or transmits a signal or message when actuated and which is likely to result in a response by the Police Department. The following devices shall not constitute an alarm system within the meaning of this section:
- (A) Alarm devices affixed to motor vehicles;
- (B) Alarm devices installed on a temporary basis by the police department.
- (3) "Answering service" means a telephone answering service that continuously receives emergency signals from alarm systems, and immediately relays messages based on such signals by live voice to the Yolo County communications center or the Woodland police department.
- (4) "Appellant" means a person who perfects an appeal pursuant to this article.
- (5) "Applicant" means a person who files an application for a new, or renewal, permit as provided by this article.
- (6) "Automatic dialing device" means an alarm system which automatically sends over the regular telephone lines, by direct connection or otherwise, a prerecorded voice message indicating the existence of an emergency situation that the alarm system is designed to detect.
- (7) "Central station" means an office to which alarm systems are connected, where operators supervise the circuits, and where guards and/or service persons are continuously present to investigate signals.
- (8) "City" means the city of Woodland, California.
- (9) "City council" means the city council of the city of Woodland.
- (10) "Direct line" means a telephone line leading directly from a central station to the communications center of the Woodland police department or Yolo County communications center, used only to report emergency signals on a person-to-person basis.
- (11) "Emergency" means the commission or attempted commission of a robbery or burglary, or other imminent felony.
- (12) Excessive false alarms. The term "excessive false alarms" is defined in the city resolution pertaining to alarm systems.
- (13) "False alarm" means the activation of an alarm system which precipitates a response by the Woodland police department, when the activation results from a cause other than an emergency or other situation for which the alarm system was intended. False alarms do not include alarms resulting from violent acts of nature, i.e. earthquakes, gale force winds, or tornadoes.
- (14) "Notice" means written notice, given by personal service upon the addressee, or given by United States mail, postage prepaid, addressed to the person to be notified at his last known address. Service of such notice shall be effective upon the completion of personal service, or upon the placing of the same in the custody of the United States Postal Service.
- (15) "Panic alarm" means any electrical or mechanical device designed to enable an individual, twenty-four hours a day, to instantly alert others of the existence of an emergency by the sounding of an audible alarm or transmitting a signal or message when activated.
- (16) "Permittee" means the person to whom an alarm system permit has been issued.
- (17) "Person" means and includes natural persons without regard to number or gender, and any partnership, corporation and any other type of legal entity.
- (18) "Police chief" means the chief of police of the city of Woodland, California, or his

representatives or designees.

(19) "Silent system" means any device or system designed to operate night or day to instantly transmit a silent signal to alert others of an actual armed robbery or holdup in progress. (20) "Siren" means any audible noise similar to that which must be sounded by an authorized

emergency vehicle under the conditions set forth in Section 21055 of the Vehicle Code.

(21) "Subscriber" means any person who purchases, leases, contracts for or otherwise obtains an alarm system or contracts for the servicing or maintenance of an alarm system from an alarm company or answering service.

(22) "User" means the owner or occupier of property on which an alarm system, or silent system,

is installed and operating. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-3. Alarm system standards and regulations.

The city may prescribe by resolution minimum standards and regulations for the construction and maintenance of all alarm systems installed within the city. All devices shall meet or exceed such standards and regulations before permits are issued pursuant to this article. The police chief may inspect any alarm systems installed within the city. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-4. Automatic shutoff required.

Any alarm system which is installed or connected on or after the date this article becomes effective and which, when activated, generates an audible sound on the exterior of the structure being protected, shall have as part of the alarm system an automatic shutoff device, which terminates the audible portion of the alarm within fifteen minutes of the initial activation. Any alarm system which has been installed and is in operation prior to the date this article becomes effective and which, when activated, generates an audible sound on the exterior of the structure being protected, shall have an automatic shutoff device, as described above. Said device shall be installed and in operation within thirty days after the effective date of this article. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-5. Automatic dialing devices prohibited.

No automatic dialing device shall be interconnected to a primary trunkline of the Woodland police department or the Yolo County communications center trunkline after the effective date of this article. Any such automatic dialing device so interconnected prior to the effective date of this article shall be disconnected no later than sixty days from the effective date of said article. The operator of the alarm system shall be responsible for having the device disconnected.

- (1) Persons owning or leasing an automatic dialing device may have the device interconnected to a telephone line transmitting directly to:
- (A) A central station; or
- (B) A modified central station, which means an office to which alarm systems are connected, where operators supervise the circuits but where guards are not maintained to investigate alarm signals;
- (C) An answering service.
- (2) If the user of an automatic dialing device fails to disconnect the device, the city may cite the user for violation of this article. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-6. Silent systems and panic alarm systems.

(a) Silent Systems. A robbery alarm system is to be activated only in the event of a robbery. Any other use is prohibited and a violation of this article.

(b) Panic Alarm. The indiscriminate activation of a panic alarm by any person for reasons other than signifying an emergency is prohibited, and a violation of this article. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-7. Audible alarms similar to sirens prohibited.

It is unlawful to install on the exterior or interior of a building an intrusion detection device or burglar alarm system which upon activation emits a sound which is similar to sirens in use on emergency vehicles or for civil defense purposes. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-8. Alarm systems which constitute a hazard to responding public safety officers prohibited.

No permit shall be issued for an alarm system which, in the opinion of the police chief, constitutes an unreasonable hazard to life and limb of responding public safety officers. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-9. Permit required.

- (a) Users. No user shall cause an alarm system to be installed, or thereafter connected or operated upon any property, without first obtaining an alarm system permit. Permits shall be issued in accordance with the provisions of this article.
- (b) Alarm Companies, Installation or Connection of Alarm Systems. No alarm company shall install or connect an alarm system upon any property within the city without first performing one of the following acts, whichever is most feasible:
- (1) Obtaining a copy of the alarm system permit from the alarm system user or the issuing authority;
- (2) Obtaining a copy of the alarm permit fee receipt from the alarm system user or the issuing authority;
- (3) Notifying the issuing authority by declaration under the penalty of perjury that the permit application and the appropriate fees have been mailed or personally delivered to the issuing authority. The declaration under the penalty of perjury shall be signed by an authorized agent of the alarm company; or
- (4) Obtaining from the user of the alarm system an executed declaration under the penalty of perjury that said user has previously mailed the permit application and the appropriate fee to the issuing authority. The declaration under the penalty of perjury shall be witnessed by the signature of an authorized agent of the alarm company. This declaration shall also be personally delivered or mailed to the issuing authority by the alarm company.
- Either of the declarations listed in subsections (3) and (4) of subsection (b) shall be served or given to the issuing authority within seventy-two hours of installation or connection of an alarm system.
- (c) Alarm Companies; Maintenance of Alarm Systems. An alarm company may transmit alarm information to the Yolo County Communication center when the company has determined that the user has a valid permit. An alarm company may continue to transmit alarm information until such time as it has been notified of a suspension or revocation of the permit by the city in accordance with the provisions of this article. Upon notification, the alarm company shall discontinue the transmission of all alarm information of the suspended or revoked user, to the Yolo County communications center or the Woodland police department within fifteen days of the notification. This section shall not prohibit the suspended user from contracting with an alarm company to conduct repairs on an alarm system to remedy the cause of the problem leading to the suspension or revocation. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-10. Applications; confidentiality.

- (a) Applications renewals and reapplications for alarm system permits shall be filed with the police chief on such forms as he may prescribe and include but not be limited to: such information:
- (1) Name of the person applying for the permit;
- (2) Address of the residence or business where the alarm system will be located;
- (3) Applicants' telephone number and additional telephone numbers where the applicant can be reached in case of an emergency;
- (4) The name, address and telephone number of the alarm company selling, installing, monitoring, inspecting, responding to or maintaining the alarm system;
- (5) The name and telephone number of at least one other person (in the case of a corporate alarm user or business user, at least two persons) who can be reached at any time who is authorized to respond to an alarm and who can open the premises where the alarm has been activated.

Every alarm system permit shall be kept on the premises where the alarm system is installed for use.

- (b) Any person who operates or maintains more than one alarm system upon any business or residential property may, at his option, apply for a single permit for that particular property or for separate permits for each alarm system operated or maintained on said property; provided, however, that if such person chooses to secure a separate permit for each alarm system, a separate permit fee shall accompany each such application. If one permit is obtained for a number of alarm systems at one location, false alarms by any combination of those alarm systems shall be counted towards the determination of excessive false alarms as provided by resolution of the city council. Where multiple permits exist for multiple systems at one address, false alarms will be charged to the proper permit or alarm system.
- (c) The information furnished and secured pursuant to this article shall be confidential in character, shall not be subject to public inspection, and shall be kept so that the contents thereof shall not be disclosed except to persons charged with the administration of this chapter. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-11. Fees, receipts, denial.

(a) Every initial application, renewal and reapplication for an alarm system permit shall be accompanied by a nonrefundable permit fee in an amount established by resolution of the city council. The fee shall be used to defray costs of processing applications and permits and shall be in addition to any other permit fee imposed by the city.

(b) Every applicant shall be given a receipt for the permit fee at the time such fee is paid. The receipt shall serve as a temporary alarm system permit for a period not to exceed forty-five days from the date when the fee was paid, and shall be of no force or effect upon the expiration of the forty-five-day period, or upon the issuance of the alarm system permit, whichever event occurs first. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-12. Issuance of permits.

(a) The police chief may condition an alarm system permit to ensure that all requirements of all agencies within the jurisdiction have been met.

(b) The police chief shall issue alarm system permits after the requirements of this article have been met. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-13. Denial of permits.

When an application has been denied, the police chief shall inform the applicant in writing of denial, stating the reasons for such denial within fifteen days from the date the application fee was paid. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-14. Expiration of permit; notice to alarm companies.

(a) Length of Permit Period. Alarm system permits can be purchased annually or for durations of up to three years. The date of issuance or renewal shall be the date shown on the alarm system permit issued by the police chief. Upon expiration of an alarm system permit, a new permit shall be secured in the manner specified by this article.

(b) Notice to Alarm Companies. Notice of nonrenewal, suspension and revocation of alarm system permits shall be served on the servicing alarm company, in the manner provided by this article. (Ord. No. 1188, § 2 (part).

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Sec. 13-5-15. Transferability of permit.

(a) Any alarm system permit issued in accordance with the provisions of this article shall be valid only as to the permittee named on the permit, and only for the particular alarm system or alarm systems specified on the permit. Only transfers involving the permittee's move from one location to another will be permitted. No transfers will be permitted from one user to another user. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-16. Suspension and revocation of permit.

- (a) Grounds for Suspension. The following shall constitute the grounds for suspension or revocation of an alarm system permit:
- (1) The violation of any provisions of this article;

(2) Where an alarm system actuated excessive false alarms; or

- (3) The violation of any condition imposed by the police chief upon an alarm system permit.
- (b) Length of Suspension for Excessive False Alarms Restoration. If an alarm system has generated excessive false alarms, the police chief may suspend the permit for the alarm system for up to fifteen days. On the day following the expiration of the suspension period, the permit shall be restored upon payment of a restoration fee in an amount established by resolution of the city council.
- (c) Length of Suspension for Other Grounds; Restoration. Where a permit is subject to suspension for grounds other than those specified in subsection (b), the police chief may impose a suspension period not to exceed ninety days. On the day following the expiration of the suspension period, the permit shall be restored upon payment of a restoration fee, in an amount to be established by resolution of the city council.
- (d) If an alarm system has generated excessive false alarms, and the permit for such alarm system has been suspended during the twelve months prior to the date on which the suspension/revocation hearing is held, the police chief may revoke the permit. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-17. Suspension and revocation hearings.

(a) Hearing Required. No alarm system permit shall be suspended or revoked until a hearing shall have been held by the police chief.

(b) Notice. Notice of the time and place of such hearing shall be served on the permittee, and upon the person designated on the permittee's application that services or repairs the permittee's alarm system. Such notice shall be given at least ten days prior to the date set for the hearing in the manner provided by this city code. The notice of the hearing shall include the date, time, and location of the hearing, a brief statement of the grounds upon which the proposed suspension or revocation will be based. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-18. Appeals.

(a) Any applicant or permit holder aggrieved by the decision of the police chief in denying, suspending, or revoking an alarm system permit may appeal such decision to the city manager.

(1) Notice of appeal shall be in writing and shall state the reasons for the appeal. The appeal

shall be filed with the city clerk not later than fifteen days after the imposition of denial, suspension, or revocation, or notice thereof, whichever is earliest.

(2) The city manager shall conduct a hearing on the appeal within thirty days of the filing of said appeal. The decision rendered shall be final.

(b) Any applicant or permit holder aggrieved by the decision of the city manager in denying, suspending, or revoking an alarm system permit may appeal such decision to the city council. The appeal process shall be the same as outlined in the appellant's initial appeal to the city manager. The hearing date shall be set by the city clerk on a regular meeting of the city council, where an opening exists for such an agenda item to be heard. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-19. Alarm use after suspension or revocation of permit.

(a) Individual Users.

(1) A permittee who allows his alarm system to remain connected after his alarm system permit has been suspended or revoked is in violation of this article.

(2) A permittee who continues to send, or permits the sending of, a silent alarm emergency signal to the Yolo County communications center, or the Woodland police department, after the permittee's alarm system permit has been suspended or revoked, is in violation of this article. (b) Alarm Companies. Any alarm company who continues to send, or permits the sending of, an alarm user's alarm emergency signal or message to Yolo County communications center, or the Woodland police department, after having been notified in writing that the user's alarm system permit has been suspended or revoked, is in violation of this article. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-20. Reapplication; background investigation; reissuance.

Any person whose alarm system permit(s) is (are) revoked may reapply for a new alarm system permit, in accordance with the procedures set forth in this section.

- (a) Reapplications. All reapplications shall be submitted directly to the police chief on forms provided by the city.
- (b) Investigation. The police chief shall investigate each reapplication to determine whether the grounds for the prior revocation have been eliminated, or are not likely to occur in the future. Such investigation may include, but may not be limited to, an on-site investigation of the alarm system; an examination of the alarm system and any specifications, diagrams, or descriptions pertaining thereto, and a prescribed test of reasonable duration.
- (c) Reissuance of Permit. If, after investigation, the police chief determines that the grounds for the prior revocation have been eliminated, or that such grounds are not likely to occur in the future, an alarm system permit shall be issued. The police chief may impose such conditions on the alarm system permit as he deems reasonably necessary to insure that the permittee will comply with the provisions of this article. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-21. Application.

The provisions of this article shall apply to all alarm systems which were installed, connected, operated or maintained within the city. (Ord. No. 1188, § 2 (part).)

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Sec. 13-5-22. Penalties.

(a) Any person violating any provision of this article shall be guilty of an infraction, and upon conviction thereof shall be punished by a fine not to exceed one hundred dollars for a first violation, two hundred dollars for a second violation within one year, and five hundred dollars for each additional violation within one year. Every day that any such violation continues shall constitute a separate offense.

(b) The conviction or punishment of any person for violating any provision of this article or for failure to secure a permit as required by this article shall not relieve such person from paying the permit fee due and unpaid at the time of such conviction or punishment, nor shall payment of any permit fee bar a criminal prosecution for a violation of any provision of this article. All remedies shall be cumulative and the use of one or more remedies by the city shall not bar the use of any other remedy for the purpose of enforcing the provisions of this article. The amount of any permit fee due and owing shall be deemed a debt to the city. An action may be commenced in the name of the city in any court of competent jurisdiction for the amount of any delinquent permit fee. All permit fees shall be deemed delinquent thirty days from the date they are due and payable. (c) A permittee shall be required to reimburse the city for the cost of the Woodland police department manpower and emergency equipment response to excessive false alarms as provided in this article. The amount of and criteria for such reimbursement shall be adopted by resolution of the city council and notification of the charges thereof to the permittee shall be made within ten days from the actuation of the excessive false alarm. (Ord. No. 1188, § 2 (part); Ord. No. 1311, § 2.)