

ORDINANCE NO. 1721 N.C (2d)

**AN ORDINANCE OF THE CITY OF VALLEJO MUNICIPAL CODE AMENDING
CHAPTER 7.81 RELATED TO SECURITY ALARM SYSTEMS**

THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

Section 1. Section 7.81.060 of the Vallejo Municipal Code is hereby amended to read as follows:

7.81.060 - Administration.

A. The provisions of this chapter shall be administered and enforced by the chief of police and the alarm administrator. The chief of police or alarm administrator shall have the authority to make and enforce such rules and regulations as are necessary to implement the provisions of this chapter.

B. Alarm business proprietary information furnished and secured pursuant to the ordinance codified in this chapter shall be confidential and shall not be subject to public inspection. It is hereby declared that this information is critical to the safety and security of the alarm user and law enforcement personnel and that the public interest served by not disclosing said information to the public clearly outweighs the public interest served by disclosing said information.

C. The alarm administrator shall consider an alarm business in substantial compliance failure when the business has failed to comply with any of the following sections of this chapter.

1. 7.81.020
2. 7.81.030 (F)(1)
3. 7.81.040 (E),(F)
4. 7.81.070 (A) 1-4; or
5. Fail to comply with three or more components of Section 7.81.110.

D. When an alarm business is deemed to be in substantial compliance failure by the alarm administrator, the following procedure shall be applied.

1. The alarm administrator shall send the alarm business a notice of noncompliance containing the following information:
 - a. The section of the chapter to which the alarm business has failed to comply;
 - b. The specific remedy for the compliance failure;
 - c. The date by which the alarm business must come into compliance, and
 - d. The specific action that will be taken by the department, including the date that action will be taken.

2. Unless otherwise specified in this chapter, the notice of noncompliance shall give the alarm business thirty days to come into compliance with the specified section.
3. Failure to come into compliance, within the time specified in the notice of noncompliance, will result in penalty of three hundred dollars per day.

Section 2. Section 7.81.070 of the Vallejo Municipal Code is hereby amended to read as follows:

7.81.070 - Maintaining and providing specified information—Cancellation of response.

A. Any central station, monitoring company, or telephone answering service that reports alarm activations to the Vallejo police department shall maintain and provide the following information to the police communications center:

1. Any premises or alarm code assigned by the police department;
2. The name of the alarm user;
3. The address of the alarm system;
4. The nature of alarm (i.e., burglary, robbery, audible, silent, interior, or perimeter); and
5. Whether the alarm user is responding, the name of the person responding, estimated time of their arrival, and the responder's vehicle description.

B. An alarm business must cancel any request for police response immediately when the alarm business determines that the alarm signal is false. No false alarm assessment will be made for such cancelled alarm if the cancellation call is received by the police department prior to an officer arriving on scene.

Section 3. Section 7.81.080 of the Vallejo Municipal Code is hereby amended to read as follows:

7.81.080 - Violations and penalties.

A. Alarm violations and penalties are assessed according to a calendar year and every residence and business shall receive their first false alarm free in a calendar year. Free alarms do not rollover into other years. A penalty of one hundred and fifty dollars (\$150.00) for the first billable violation and two hundred and fifty dollars (\$250.00) for subsequent violations, shall be assessed against an alarm user for the residential false alarm reported from his/her premises after their first free alarm, or three hundred and fifty dollars (\$350.00) for every false silent/holdup alarm reported from his/her business after their one free false alarm following enactment of this chapter. If an audible false alarm is reported from a business, it then follows the same fee schedule as a residential alarm. Alarm users who complete an online alarm awareness course approved by the Vallejo Police Department may use the passing score in lieu of paying a subsequent

false alarm penalty. A passing test score on the first attempt is valid for a specific alarm site only and is valid for a false alarm penalty waiver only one time in a twelve month period.

B. In determining the number of false alarm penalties, multiple alarms occurring in any twenty-four hour period may be counted as one false alarm, to allow the alarm user time to take corrective action.

C. A false alarm response penalty may be waived if the alarm system was activated by factors out of the alarm users control, including violent conditions of nature; such as, earthquake, high intensity winds, extreme storms including thunderstorms, lightning, electrical surge, or other extraordinary circumstances not reasonably subject to the control of the alarm business or alarm user. The Vallejo police department may request a written statement/report from a licensed alarm company representative, which details the reasons for the false alarms under this section.

D. The false alarm penalties set forth in this chapter shall be adjusted on July 1st of each year following enactment of this chapter by the Annual Average Percentage Increase in the U.S. Department of Labor Consumer Price Index for the San Francisco-Oakland-San Jose Area for the preceding calendar year. All revenue generated by alarm penalties shall be appropriated to the police department and dedicated to off-set alarm response costs.

Section 4. Section 7.81.100 of the Vallejo Municipal Code is hereby amended to read as follows:

7.81.100 - Alarm user awareness class.

A. The Vallejo police department shall deliver or provide access to an educational program for the prevention of false alarms.

B. If an alarm user successfully completes the alarm user awareness class and passes the exam on their first attempt, the police department shall waive payment of a false alarm penalty as described in Section 7.81.080 of the chapter. This course and passing exam score are valid for a specific alarm site and is only valid for a false alarm penalty waiver one time in a twelve month period.

Section 5. Section 7.81.110 of the Vallejo Municipal Code is hereby amended to read as follows:

7.81.110 - Good faith standards.

Each alarm business shall, to the greatest extent possible, adhere to the following consumer protection and equipment standards for all new installations in the city of Vallejo.

A. Review annually the City of Vallejo False Alarm Ordinance.

B. Participate in ongoing research to reduce false alarms.

C. Report unlicensed alarm businesses operating within the city of Vallejo.

- D. Establish a single point of contact for the alarm administrator.
- E. Install only UL listed equipment.
- F. Conduct follow-up calls on a second false alarm in a fourteen day period.
- G. Maintain active membership in a local alarm association.
- H. Install cross-zone structures in all new installations, where possible.
- I. Present false alarm prevention information at crime prevention meetings, upon request.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each one all provisions hereof, irrespective of the fact one or more provisions may be declared invalid.

SECTION 7. Effective Date. This Ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage.

FIRST READ at a regular meeting of the Council of the City of Vallejo held on the 22nd day of March 2016 and finally passed and adopted at a regular meeting of the Council held on the 12th day of April 2016, by the following vote:

AYES:	Mayor Davis, Vice Mayor Verder-Aliga, Councilmembers Dew-Costa, McConnell, Miessner, and Sampayan
NOES:	None
ABSENT:	Councilmember Malgapo
ABSTAIN:	None


OSBY DAVIS, MAYOR

ATTEST:


DAWN G. ABRAHAMSON, CITY CLERK