

CITY OF HEALDSBURG

ORDINANCE NO. 995

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEALDSBURG ADDING CHAPTER 14B, "ALARMS AND ALARM SYSTEMS," TO THE HEALDSBURG MUNICIPAL CODE

Recitals

The City Council of the City of Healdsburg does ordain as follows:

SECTION 1. Chapter 14B "Alarms and Alarm Systems," is hereby added to the Healdsburg Municipal Code as follows:

Chapter 14B

Alarms and Alarm Systems

14B-010- Purpose

14B-020- Definitions

14B-030- Prohibitions

14B-040- Exemptions

14B-050- Penalties

**14B-010 – Purpose**

The purpose of this Chapter is to ensure that the allocation of public safety resources are equally applied when responding to alarm activations. It is the policy of the City of Healdsburg to provide quick and efficient response to all emergency calls for aid from the police or fire services. In the case of burglary, robbery and fire alarms some businesses and residences fail to take reasonable steps to avoid false activation of the alarm system. Public resources are diverted to the source of the alarm only to find that they have responded to a false alarm. Because the response by the city results in a considerable expenditure of city employee time and is an expense to the city both in manpower and materials, the city council has determined that the expense of such response should be reimbursed if the number of responses exceed a certain amount annually. Alarm systems that transmit a false alarm, which results in the City dispatching Police personnel to a location shall constitute a public nuisance.

**14B-020 – Definitions**

The following definitions apply to the provisions of this chapter:

- A. “Alarm or Alarm System” shall mean an alarm signal from a residence, business, or government agency in the City of Healdsburg which ends at the City of Healdsburg or at a central alarm company office which in turn relays it to the Police Department and which causes City personnel to respond, through whatever means, results in the response of the Police Department personnel.
- B. “Emergency” shall mean an incident that reasonably requires a response by Police Department personnel. A response due to the failure, malfunction or other error, whether human or mechanical, which results in the transmission of an alarm to the Police Department is not an emergency. In the event that a question of whether a response by City personnel was a response to an emergency the determination of the Police Chief shall be final.
- C. “False alarm” means an alarm to which City personnel or equipment have responded because of a report that an emergency existed and which did not require a response because the incident for which the alarm was given did not occur.
- D. “Alarm Owner.” In determining responsibility for commercial alarms, the person or persons who contract with the alarm company for service to that alarm system or the owner, lessee, or occupant of the structure in which the alarm is installed and who maintains control of said alarm shall be ultimately responsible for that alarm system. For residential alarm systems in a single family or multi-family dwellings the responsibility shall rest with the person or persons who contract with the alarm company for service to that alarm system, or the owner, lessee, or occupant of the structure in which the alarm is installed and who maintains control of said alarm. Government building alarm systems shall be the responsibility of the department head or person in charge of such facility.

**14B-030 – Prohibition**

False alarms in excess of three per calendar year- Abatement of Nuisance.

Maintaining, using, or possessing an alarm system, which has caused any false alarms at the same property location in excess of three (3) per calendar year shall constitute a public nuisance and be subject to imposition of a fee upon the owner or occupant of the subject property in an amount set forth within this ordinance.

Any fee imposed pursuant to this section may be assessed against the property upon which the nuisance occurred and a notice of lien recorded.

**14B-040- Exemptions**

- A. New Alarm Installations. In the case of new alarm installations there will be a thirty (30) day grace period in which response will not be monitored for enforcement of this ordinance.
- B. City Power Outage. Alarm activations caused by a disruption of electrical service during a citywide power outage shall not be monitored for enforcement of this ordinance.

**14B-050- Penalties**

- A. After the third false alarm during a calendar year, excluding the new alarm exemption as stated in section 040 of this chapter, the Police Department will send a warning letter to the responsible party.
- B. For the fourth and fifth response to a false alarm an extra charge fee of \$50.00 per response shall be collected.
- C. For the sixth and seventh response to a false alarm an extra charge of \$100.00 per response shall be collected.
- D. Additional false alarm responses will result in an extra charge of \$150.00 per response.
- E. After the seventh false alarm during a calendar year, there will be no further police response to the alarm call, pending verification from the alarm owner that repair or training has taken place to mitigate the false activations.

**Appeals**

Any person aggrieved by a determination made pursuant to any provision of this Ordinance may appeal such a decision to the Chief of Police. Such appeal shall be taken by filing a written notice of appeal together with a \$100.00 appeal fee to the Healdsburg Police Department within seven (7) calendar days of the date of the decision and shall set forth the grounds for the appeal. The Chief of Police shall answer the appeal within 15 calendar days. The decision of the Chief of Police shall be final and conclusive. For purposes of this section, the term "Chief of Police" shall include his or her designee. The appeal fee may be refunded if good cause is shown.

Section 2- Severability: If any section , subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Healdsburg hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

Section 3.- Effective Date: This Ordinance of the City of Healdsburg shall be effective thirty (30) days after the date of its passage. Before expiration of fifteen (15) days after its passage, this ordinance or a summary thereof as provided in Government Code section 36933, shall be published at least once in a newspaper of general circulation published and circulated in the City of Healdsburg, along with the names of the members of the City Council voting for and against its passage.

INTRODUCED by the City Council of the City of Healdsburg on the 7th day of October, 2002, and PASSED and APPROVED on the 21st day of October, 2002, by the following vote:

AYES: Councilmembers: (5) Gold, Liles, Mitchell, Schaffner and Mayor Gleason

NOES: Councilmembers: (0) None

ABSENT: Councilmembers: (0) None

ABSTAINING: Councilmembers: (0) None

SO ORDERED

ATTEST

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Mark Gleason, Mayor

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Maria Curiel, City Clerk