

CHAPTER 8 - ALARM SYSTEMS (Added by O-2584; Amended by O-2717; O-3259)

ARTICLE 1 - GENERAL PROVISIONS AND DEFINITIONS

SECTION 38.1.1. PURPOSE.

SECTION 38.1.2. DEFINITIONS.

SECTION 38.1.3. PERMIT REQUIRED.

SECTION 38.1.4. EXEMPTIONS.

SECTION 38.1.5. STANDARDS AND REGULATIONS.

SECTION 38.1.6. RIGHT OF ENTRY.

SECTION 38.1.7. NO ASSUMPTION OF DUTY.

ARTICLE 2 - ISSUANCE OF PERMITS

SECTION 38.2.1. APPLICATION FORMS.

SECTION 38.2.2. ALARM SYSTEM PERMIT FEE.

SECTION 38.2.3. NOTICE OF CHANGE.

SECTION 38.2.4. CONFIDENTIALITY.

SECTION 38.2.5. ISSUANCE OF PERMITS.

ARTICLE 3 - REQUIREMENTS

SECTION 38.3.1. AUDIBLE ALARM REQUIREMENTS.

ARTICLE 4 - FALSE ALARMS

SECTION 38.4.1. PROHIBITED.

SECTION 38.4.2. FEES.

SECTION 38.4.3. NONRESPONSE.

SECTION 38.4.4. NOTIFICATION.

SECTION 38.4.5. REPAIRS.

ARTICLE 5 - ALARM SYSTEM PERMIT - SUSPENSION OR REVOCATION

SECTION 38.5.1. GROUNDS.

SECTION 38.5.2. AUTHORITY.

[SECTION 38.5.3. HEARING.](#)

[SECTION 38.5.4. APPEAL.](#)

ARTICLE 1 - GENERAL PROVISIONS AND DEFINITIONS

SECTION 38.1.1. PURPOSE.

- a) The purpose of this Chapter is to set forth regulations governing burglary and robbery alarm systems that require police response or investigation in order to protect the public health, safety and welfare.

SECTION 38.1.2. DEFINITIONS.

For the purpose of this Chapter, certain words and phrases shall be construed in this Chapter as set forth in this Section, unless it is apparent from the context or the intent of the City Council that a different meaning is intended:

- a) "Administrative Hearing Board" means a board constituted pursuant to Article 2 of Chapter 2 of Division 1 of this Code.
- b) "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 both, for 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 activated. Alarm systems include, but are not limited to, direct dial telephone devices, audible alarms and proprietor alarms. Devices which are not designed or used to register alarms that are audible, visible or perceptible outside of the protected building, structure or facility are not included within this definition, nor are auxiliary devices installed by the telephone company to protect telephone company systems which might be damaged or disrupted by the use of an alarm system.
- c) "Applicant" means a person who files an application for a permit as provided for in this Chapter.
- d) "Audible alarm" means a device designed for the detection of unauthorized entry on premises which generates an audible sound on the premises when it is activated.
- e) "False alarm" means an alarm signal activated through a mechanical malfunction, negligence or for reasons not requiring a police response.
- f) "Finance Director" means the Finance Director of the City or his designated representative.
- g) "Nonresponse status" means that the Police Department will not respond to any alarm signal emanating from a particular alarm system.
- h) "Permittee" means any person, firm, partnership, association or corporation holding an alarm system permit issued pursuant to the provisions of this Chapter.
- i) "Police Chief" means the Police Chief of the City or his designated representative.

j) "Proprietor alarm" means an alarm system which does not require police response when activated.

k) "Revenue Division" means the Revenue Division of the Finance Department of the City.

SECTION 38.1.3. PERMIT REQUIRED.

a) No person shall install or have installed or maintain on any premises under his control an alarm system without first applying for and obtaining an alarm system permit therefor in accordance with the provisions of this Chapter.

b) No alarm system installer or alarm company shall install an alarm system unless a permit under this Chapter has been issued and remains in force for the location.

SECTION 38.1.4. EXEMPTIONS.

The provisions of this Chapter are not applicable to proprietor alarms, audible alarms affixed to motor vehicles, a public telephone utility regulated by the California Public Utilities Commission, or alarms installed on premises wholly occupied by any governmental or public educational entity.

SECTION 38.1.5. STANDARDS AND REGULATIONS.

The Police Chief may prescribe and enforce minimum standards and regulations for the installation, maintenance and operation of all alarm systems installed, serviced or maintained within the City. The Police Chief may require inspection and approval of all alarm systems installed, serviced or maintained within the City.

SECTION 38.1.6. RIGHT OF ENTRY.

The Police Chief shall have the right to enter or go on or about any building or premises for the purpose of inspecting the alarm system.

SECTION 38.1.7. NO ASSUMPTION OF DUTY.

By the enactment of this Chapter the City of Torrance assumes no obligation or duty to any permittee or any other person by reason of any provision thereof or by the exercise of any right or privilege by any permittee thereunder.

ARTICLE 2 - ISSUANCE OF PERMITS

SECTION 38.2.1. APPLICATION FORMS.

Applications for all permits required hereunder shall be filed with the Revenue Division and shall be accompanied by the requisite fee. The fee is established to cover the actual cost of investigating and precessing the applications and permits and is not refundable. The Finance Director shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the permit application. The application for an alarm system permit shall require

the name, address and telephone number of all persons responsible for the location and who will render service or repairs during any hour of the day or night.

SECTION 38.2.2. ALARM SYSTEM PERMIT FEE.

- a) A fee prescribed by resolution of the City Council shall be charged to the applicant for an alarm system permit. The fee shall be paid before any permit to install an alarm system is issued. Upon any change of location of the alarm system, a new fee in the amount of the original fee shall be due and payable.
- b) Notwithstanding the provisions of subsection (a) of this Section, no fee shall be charged for the issuance of any alarm system permit for any premises wholly occupied by any governmental or public educational entity.
- c) No alarm system permit fee shall be charged for the issuance of a permit for a residence where the applicant is sixty-five (65) years of age or older or physically disabled and who resides at the location for which the permit is requested.

SECTION 38.2.3. NOTICE OF CHANGE.

Whenever any change occurs relating to the written information required on the permit application, the permittee shall give written notice of such change to the Revenue Division within five (5) days.

SECTION 38.2.4. CONFIDENTIALITY.

The information furnished and secured pursuant to this Chapter shall be confidential and shall not be subject to public inspection and shall be kept so that the contents thereof shall not be known except to persons charged with the administration of this Chapter.

SECTION 38.2.5. ISSUANCE OF PERMITS.

- a) Permits of the type described in this Chapter shall be issued by the Revenue Division.
- b) Any application for any alarm system permit may be denied if:
 - 1) The applicant knowingly made any false, misleading or fraudulent statement of a material fact in an application for a permit or in any report or record required to be filed pursuant to this Chapter.
 - 2) The alarm system does not comply with the standards and regulations adopted pursuant to this Chapter.
 - 3) The applicant has had a similar type permit previously revoked for good cause within the past year unless the applicant can show a material change in circumstances since the date of revocation.
- c) Any permit for an alarm system issued under this Chapter shall be nontransferable.

- d) The granting of a permit hereunder does not entitle the permittee to a hookup to any police communications system.
- e) The provisions of this Chapter do not apply to the Torrance Police Department engaged in the nonprofit installation and maintenance of tactical alarm systems or to alarms installed by the Police Department.

ARTICLE 3 – REQUIREMENTS

SECTION 38.3.1. AUDIBLE ALARM REQUIREMENTS.

- a) Every person maintaining an alarm system shall provide the Police Chief with the names and telephone numbers of the persons to be notified to render repairs or service and secure the premises during any hour of the day or night that the alarm system is activated. It is the responsibility of every person maintaining an alarm system to assure that the names and telephone numbers recorded with the Police Department are kept current.
- b) No person shall install an audible alarm system which creates a sound similar to that of an emergency vehicle siren or a civil defense warning system.
- c) No person shall install an audible alarm system except one which automatically discontinues emitting an audible sound within one-half (1/2) hour after it is activated, and which must be manually reset.

ARTICLE 4 - FALSE ALARMS

SECTION 38.4.1. PROHIBITED.

No person shall knowingly turn in a false alarm. This Section does not prohibit a test of an alarm system as permitted in advance by the Police Chief. Activation of audible alarm systems for one (1) second or less shall not be considered a false alarm.

SECTION 38.4.2. FEES.

- a) A fee prescribed by resolution of the City Council shall be charged to the permittee of a particular alarm system for the fourth (4th) and each and every subsequent false burglary alarm in any twelve (12) month period.
- b) No fee shall be charged to a permittee for the first three (3) false burglary alarms in a twelve (12) month period.
- c) A fee prescribed by resolution of the City Council shall be charged to the permittee of a particular alarm system for each false robbery alarm.

SECTION 38.4.3. NONRESPONSE. (Amended by O-3366)

- a) An alarm system and its location may be placed on a nonresponse status as defined in Section 38.1.2(i) for a period of six (6) months for the eleventh (11th) and any additional false alarms within any twelve (12) month period.

b) An alarm system and its location may be placed on a nonresponse status when any permittee fails to pay any fee imposed pursuant to this Chapter within thirty (30) days from the date said fee was imposed.

SECTION 38.4.4. NOTIFICATION.

a) After each false alarm, the Police Chief shall notify the permittee in writing of the date and time that the Police Department responded to said false alarm. The permittee shall also be notified in writing in each instance of the number of false alarms of record attributed to that alarm system within the previous twelve (12) month period. The permittee shall further be informed in writing of the provisions of this Chapter and of any fee or nonresponse status to be imposed.

b) Within ten (10) days from the date of said notice, the permittee may present written evidence to the Police Chief that the alarm response in question was not in fact a false alarm as defined in Section 38.1.2(f), or that there was a justifiable reason for the activation of the alarm. If no such response is made by the permittee within said ten (10) day period, the Police Chief's order shall be final. If the Police Chief determines that the alarm in question was not a false alarm, the alarm response shall not be counted against the permittee. The permittee shall be notified in writing of the Police Chief's determination within ten (10) days of the receipt of a response from the permittee.

c) No false alarms shall be counted against the permittee that were the result of fire, earthquake, flood, acts of God or other natural disasters.

d) Nothing contained in this Chapter shall be construed to either require or prohibit a response by the Police Department to any alarm signal or to, in any way, regulate the discretion of the police chief in allocating police resources in the official performance of his duties.

e) When an alarm system is placed on a "nonresponse status" and the review by the Police Chief pursuant to the provisions of subsection (b) of this Section has been completed, the permittee may appeal the Police Chief's nonresponse order to the Administrative Hearing Board in accordance with the procedure set forth in subsection (f) of this Section. The Police Chief's "nonresponse status" order shall remain in effect pending the appeal unless stayed by action of the Administrative Hearing Board. The Administrative Hearing Board may affirm, modify or overrule the Police Chief's order.

f) The hearing shall be conducted in accordance with the requirements of due process of law. The permittee shall have the right to be represented by counsel, to be appraised of the evidence of the false alarms, to offer evidence and to examine witnesses. The Administrative Hearing Board shall adopt rules of procedure for such purpose.

g) The decision of the Administrative Hearing Board may be appealed to the City Council pursuant to the provisions of Article 5 of Chapter 1, Division 1 of this Code.

SECTION 38.4.5. REPAIRS.

After any false alarm caused by a malfunction of the alarm system, an alarm system permittee shall cause the alarm system to be repaired so as to eliminate such malfunction before reactivating the alarm. A person shall not reactivate such alarm until such repairs have been made.

ARTICLE 5 - ALARM SYSTEM PERMIT - SUSPENSION OR REVOCATION

SECTION 38.5.1. GROUNDS.

A violation of any of the provisions of this Chapter or of any alarm system standards and regulations prescribed by the Police Chief pursuant to this Chapter shall constitute grounds for suspension and revocation of an alarm system permit.

SECTION 38.5.2. AUTHORITY.

Any alarm system permit issued under this Chapter may be suspended by the Police Chief for the grounds listed in Section 38.5.1.

SECTION 38.5.3. HEARING.

a) No permit issued pursuant to the provisions of this Chapter shall be suspended until after a hearing by the Police Chief relating to such suspension.

b) Notice of the hearing shall be given in writing to the permittee and served at least fifteen (15) days prior to the date of the hearing. Service shall be upon the permittee or his manager or agent.

c) The notice shall state the grounds for suspension and shall also state the time and place of such hearing.

d) The notice shall be served upon the permittee. In the case of a business, the notice shall be served upon the permittee by delivering the same to the permittee, his manager or agent, or to any person in charge of, or employed in the place of business of the permittee. If the permittee has no place of business service must be made by leaving the notice at the place of business or residence of the person with some person of suitable age and discretion. In the event the permittee cannot be found and the service of the notice cannot be made upon him in the manner provided, then a copy of the notice shall be mailed, postage fully prepaid, addressed to the permittee for delivery by certified mail at his place of business or residence at least fifteen (15) days prior to the date of the hearing.

e) Any permit suspended by order of the Police Chief shall be deemed permanently revoked fifteen (15) days after the order of suspension becomes effective.

f) When an appeal is filed, the order of suspension shall be stayed pending the determination of the appeal by the Administrative Hearing Board. The suspension shall become a revocation of the permit if the

decision of the Administrative Hearing Board upholds the order of suspension made by the Police Chief. The suspension shall be dissolved immediately if the decision of the Administrative Hearing Board reverses the order of suspension made by the Police Chief.

g) Any permit revoked pursuant to the provisions of this Chapter shall be surrendered by the permittee to the Police Chief or his representative who shall transmit it to the Revenue Division.

SECTION 38.5.4. APPEAL.

a) Any applicant for a permit, which may be required under this Chapter, whose application for such permit has been denied, or any permittee whose permit has been suspended pursuant to an order of suspension may, within ten (10) days after such denial or order of suspension, appeal to the Administrative Hearing Board by filing with the Administrative Hearing Board a notice of such appeal setting forth the decision and the grounds upon which he deems himself aggrieved thereby.

b) The Police Chief shall make a written report to the Administrative Hearing Board setting forth the basis of the determination denying the application for a permit or issuing the order of suspension.

c) The Administrative Hearing Board shall set the appeal for hearing to be held not less than ten (10) days nor more than thirty (30) days thereafter. The hearing may be continued for good cause by the order of the Administrative Hearing Board.

d) The hearing shall be conducted in accordance with the requirements of due process of law. The permittees shall have the right to be represented by counsel, to be appraised of the evidence against him, to offer evidence and to examine witnesses. The Administrative Hearing Board shall adopt rules of procedure for such purpose.

e) The decision of the Administrative Hearing Board may be appealed to the City Council pursuant to the provisions of Article 5 of Chapter 1, Division 1 of this Code.