

3-27-85

Doris A. Ward
Treas. Clerk
Town Of Coupeville

ORDINANCE NO. 385

An Ordinance relating to burglar alarm systems; defining false alarms and offenses; prescribing fees and penalties.

WHEREAS, the Town of Coupeville Police Department maintains a procedure for responding to burglary and robbery alarms; and

WHEREAS, the Police Department has determined that many alarms have been falsely activated on a frequent basis; and

WHEREAS, in addition to posing a threat to the safety of police officers and citizens by creating unnecessary hazards, false alarms cause an economic impact on the Police Department; and

WHEREAS, the number of false alarms in the Town of Coupeville have been increasing at a significant rate.

NOW, THEREFORE, be it ORDAINED by the Town of Coupeville as follows:

SECTION 1 - DEFINITIONS:

1. "Authorized Service Personnel" means those persons who, by reason of their experience, trade, or occupation, can demonstrate to the Chief of Police that they are qualified to work on alarm system.

2. "False Alarm" means the activation of a burglary and/or robbery alarm for the purpose of summoning the police at a time when no burglary or robbery is being committed or attempted on the premises.

3. "Person" means any natural person, firm, partnership, corporation, or unincorporated association.

4. "Premises" means any building, structure, enclosure, real property or vehicle.

SECTION 2 - FEES, CORRECTIVE ACTION:

1. For a police response to any false alarm, the Town of Coupeville, by its Chief of Police, may charge and collect from the person having or maintaining such burglary and/or robbery alarm on premises owned or occupied by him, fees as follows:

A) For a response to premises at which no other false alarm has occurred within the preceeding six month period, hereinafter referred to as a "first response," no fee shall be charged. Upon first response, notice of conditions

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1 and requirements of this ordinance shall be given to the owner or occupant
2 of the premises on which the false alarm occurred and upon which the burglary
3 and/or robbery alarm is located.

4 B) For a second response to premises within six (6) months, a fee of
5 \$25.00 may be charged. The person having or maintaining such burglary and/or
6 robbery alarm shall, within five (5) working days after notice to do so, make
7 a written report to the Chief of Police on prescribed forms setting forth the
8 cause of such false alarm, the corrected action taken, whether and when such
9 alarm has been inspected by authorized service personnel, and such other
10 information as the Chief of Police may reasonably require to determine the
11 cause of such false alarm, any mitigating circumstances and corrected action
12 necessary. The Chief of Police may direct the person having or maintaining
13 such burglary and/or robbery alarm to have authorized service personnel inspect
14 the alarm at such premises and to take other corrective action as prescribed
15 by the Chief of Police. The Chief of Police shall designate a reasonable time
16 for completion of the corrective action. All costs of inspection and
17 corrective action shall be borne by the individual having or maintaining the
18 alarm on the premises.

19 C) For a third response to premises within six (6) months after first
20 response, and for all succeeding responses within six (6) months of the last
21 response, a fee of \$50.00 may be charged, and if such third false alarm or
22 any such succeeding false alarm occurs as a result of failure to take the
23 necessary corrective action within the time required under Section 2, sub-
24 section 1 A) & B) above, the Chief of Police may order the person having or
25 maintaining the burglary and/or robbery alarm to disconnect such alarm until
26 the prescribed corrective action is taken and certification of such corrective
27 action is provided to the Coupeville Police Department, provided that no
28 disconnection shall be ordered relative to any premises required by law to
29 have an alarm system in operation.

30 2. In addition, the Town of Coupeville, through its Chief of Police, may
31 charge the fees stated in this section to the person having control or maintain-
32 ing facilities used in the operation or transmission of alarm signals by

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1 alarm users.

2 3. The fees in subsection 2 herein are in addition to those provided for
3 in subsection 1.

4 SECTION 3 - EMERGENCY RESPONSE CARDS:

5 It is unlawful to have or maintain on any premises, except a vehicle,
6 an audible type burglary and/or robbery alarm unless there is a list filed
7 with the Police Department of the telephone numbers at which the person or
8 persons authorized to enter such premises and turn off such alarm can be
9 reached at all times. It is unlawful for any such person to fail to appear
10 and turn off any such alarm within a reasonable time after being notified
11 by the police to do so.

12 SECTION 4 - APPEAL FROM ADMINISTRATIVE DECISION, FINALITY: Any person

13 subject to the imposition of a fee, order of disconnection or other administra-
14 tive sanction under the terms of this ordinance shall have a right of appeal
15 to the Mayor of the Town of Coupeville. Unless notice of appeal is filed
16 with the Mayor of the Town of Coupeville within ten (10) days of receipt of
17 the notice of imposition of an administrative sanction, the sanction is hereby
18 deemed to be final.

19 SECTION 5 - AUTOMATIC CALLING DEVICES PROHIBITED: No person shall use

20 or operate, or attempt to use or operate, or cause to be used or operated, or
21 arrange, adjust, program, or otherwise provide or install any device or
22 combination of devices that will, upon activation, either mechanically,
23 electronically or by any other automatic means, initiate a telephonic or
24 recorded message to any telephone number assigned, or any additional telephone
25 numbers assigned, to the Town of Coupeville Police Department. Within thirty
26 (30) days after the effective date of this ordinance, all existing automatic
27 dialing devices referred to above shall be reprogrammed or disconnected.

28 SECTION 6 - USE OF ALARMS -- FALSE ALARMS: It is unlawful for anyone to

29 intentionally activate any burglary or robbery alarm, for the purpose of
30 summoning police response, or for anyone notifying the police of an activated
31 alarm and having knowledge that such activation was apparently caused by an
32 electrical or other malfunction of the alarm system to fail at the same time,

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1 to notify the police of such apparent malfunction.

2 SECTION 7 - RULES: The Chief of Police shall make and promulgate such
3 rules as will effectuate the extent and purpose of this ordinance.

4 SECTION 8 - PENALTY: Anyone convicted of a violation of any provision of
5 Section 3, 5 or 6 of this ordinance shall be punished by a fine of not more
6 than \$500.00 and/or 180 days in jail.

7 SECTION 9 - EFFECTIVE DATE: This ordinance shall be in full force and
8 effect after its passage and upon posting as required by law.

9 PASSED by the Town Council and APPROVED by its Mayor this 25th day of
10 March, 1985.

11 THE TOWN OF COUPEVILLE

12 By: _____

13 MAYOR

14 ATTEST:

15 Doris A. Ward
16 TREASURER-CLERK

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