

BURGLARY AND ROBBERY ALARM ORDINANCE**7.200 Burglary and Robbery Alarm Regulations.**(1) Definitions.

- (a) Alarm business. The business by any individual, partnership, corporation or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.
- (b) Alarm System. Any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which an agency is expected to respond.
- (c) Alarm user. The person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility wherein an alarm system is maintained.
- (d) Automatic dialing device. A device that is used to transmit an emergency message indicating a need for emergency response.
- (e) Burglary alarm system. An alarm system signaling an entry or attempted entry or any other activity requiring an emergency response into the area protected by the system.
- (f) Robbery (hold-up) alarm system. An alarm system signaling a robbery or attempted robbery.
- (g) False alarm. An alarm signal, eliciting a response by an agency when a situation requiring a response by an agency does not in fact exist, but does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user.

- (h) Interconnect. To connect an alarm system, including an automatic dialing device, to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a signal upon the activation of the alarm system.
- (i) Fiscal period. The period from July 1 through June 30, inclusive.
- (2) Alarm user's permits required. Every alarm user shall obtain an alarm user's permit for each system and shall enter into an agreement with the city of Astoria for the use of such alarm. The permit shall be obtained from the office of the Chief of Police prior to the use of an alarm system. Systems in effect at the date of passage of this ordinance which do not currently have a permit shall have thirty (30) days to apply for a permit. Users of systems using both robbery and burglary alarm capabilities shall obtain separate permits for each function. The permit shall be physically upon the premises using the alarm system and shall be available for inspection by the City of Astoria Police Department. *[Paragraph (2) amended by Ordinance No. 95-01, passed January 3, 1995; and amended by Ordinance No. 10-08, passed July 19, 2010.]*

[Paragraph (3) was repealed by Ordinance No. 10-08, passed July 19, 2010 and the subsequent sections renumbered accordingly.]

- (3) Automatic direct dialing device. It is unlawful for any person to program an automatic dialing device to interconnect to any telephone line assigned to the City; and it is unlawful for an alarm user to fail to disconnect or reprogram such device within twelve (12) hours of receipt of written notice from the Chief of Police that an automatic dialing device is so programmed.
- (4) User instructions. Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on premises located in the area shall furnish the user with instructions that provide information to enable the user to operate the alarm system properly and to obtain prompt service for the alarm system.
- (5) False alarms.
 - (a) Signals from an alarm system which are false are a nuisance.
 - (b) The following schedule of penalties shall apply for all alarm users including residential, commercial, governmental and nonprofit organizations.

EACH FISCAL YEAR OCCURRENCE	PENALTY
First false alarm	No penalty if permit obtained within last 30 days. \$50 fine if permit on file for more than 30 days or no permit on file.
Second false alarm in fiscal year	\$50 fine and warning of increased fine.
Third false alarm in fiscal year	\$75 fine and warning of increased fine.
Fourth false alarm in fiscal year	\$100 fine and warning of increased fine and termination of police response to alarms.
Fifth false alarm in a fiscal year	\$150 fine and termination of police response to alarms unless customer requests continued service in writing and agrees to pay a \$250 fine for each subsequent police response to a false alarm in the fiscal year.

NOTE: The Chief of Police may restore police response if the permit holder can demonstrate exceptional circumstances. This would not be an automatic restoration of police response, and the termination would not be lifted by the beginning of a new fiscal period.

[Paragraph (5) amended by Ordinance No. 10-08, passed July 19, 2010.]

- (6) Termination of Police Response. Any alarm system in which there are reported false alarms and the owner makes no good faith effort to correct the deficiencies shall be subject to termination of police response. The Chief of Police shall notify the alarm user and the alarm business providing inspection to the user, by certified mail, of such action. *[Paragraph (6) amended by Ordinance No. 10-08, passed July 19, 2010.]*
- (7) Violations and Penalties. Any person violating the provision of this ordinance shall be deemed guilty of an offense; and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which a violation is committed, continued, or permitted; and, upon conviction of any such violation, such person shall be punishable by a fine of not more than \$500.00 *[Section 7.200 added by Ordinance No. 77-11, passed August 1, 1977; amended by Ordinance No. 91-01, passed February 19, 1991; and amended by Ordinance No. 92-09, passed August 17, 1992.]*

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