

ORDINANCE NUMBER 1568

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, REGULATING
SECURITY ALARM SYSTEMS AND REPEALING ORDINANCE NO. 1347.

THE CITY OF MIWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Definitions.

- A. "Alarm System" means 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 police are expected to respond. "Alarm System" does not include any security system installed in any residential structure.
- B. "Alarm User" means 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.
- C. "Automatic Dialing Device" means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response.
- D. "Burglary Alarm" means an alarm system signaling an entry or attempted entry into the area protected by the system.
- E. "False Alarm" means an alarm signal or request eliciting a response by police when a situation requiring a response by the police 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.
- F. "Robbery Alarm" means an alarm system signaling a robbery or attempted robbery.
- G. "Police Chief" means Director of Police Services for the City of Milwaukie or his designated representative.

Section 2. Permit Required.

- A. Every alarm user shall obtain a permit for each system from the Police Dept. prior to use of an alarm system. Users of systems with both robbery and burglary alarm capabilities shall obtain separate permits for each

function. Application for a permit shall be filed with the Department each year. Each permit shall bear the signature of the Chief of Police and be for a one year period. The permit shall be physically maintained upon the premises using the alarm system and shall be available for inspection by the Chief of Police.

- B. Each permit application shall be accompanied by a fee established by the City Council. A surcharge may be added to the fee if an application is more than 30 days delinquent.

Section 3. Use of Automatic Dialing Devices Restricted.

It is unlawful for any person to program an automatic dialing device to select any telephone line assigned to the City of Milwaukie; 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 Department that an automatic dialing device is so programmed.

Section 4. False Alarms.

- A. For each false alarm over five (5) in a permit year, the holder of a permit shall pay a fee as established by the City Council, upon written demand by the Police Chief.
- B. Except for an alarm system required by law, a permit may be revoked for any system which has ten (10) or more false alarms within a permit year. Before revoking any permit, the Police Chief will give ten (10) days written notice to the permit holder to allow for system corrections.

Section 5. Revocation Procedure.

- A. The permit holder shall submit a written report of the action taken to correct the problem. If the Chief finds the report and subsequent repair satisfactory, the permit will not be revoked.
- B. If no report is submitted, or if the Chief finds that the action taken will not prevent further false alarms, the Chief will give written notice that the permit will be revoked on the 10th day after the date of the notice, unless the permit holder requests a hearing.

- C. If a hearing is requested, it shall be held within 15 days after the request before the City Council. The hearing will be conducted according to procedures adopted by the Council and the Council may revoke or condition the permit at the conclusion of the hearing.
- D. Revocations shall be effective 5 days after the date of written notice from the city. An alarm usershall immediately discontinue use of a system for which the permit has been revoked.
- E. An alarm user may apply for a new permit following a permit revocation. The Chief may approve the new permit if he finds that the system has been properly serviced and any deficiencies corrected. The Chief may impose reasonable conditions on the new permit to prevent future false alarms.

Section 6. Penalties.

- A. Violations of this ordinance shall be punishable upon conviction by a fine not to exceed \$500 for each day the violation is allowed to continue.
- B. In addition to any other penalties, a user who is in violation of any provision of this ordinance may be subject to permit revocation according to the procedure in Section 5.

Section 7. Repeal. Ordinance No. 1347 is repealed.

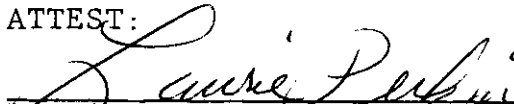
Read the first time on October 16th 1984, and moved to second reading by unanimous vote of the City Council.

Read the second time and adopted by the City Council on October 16th, 1984.

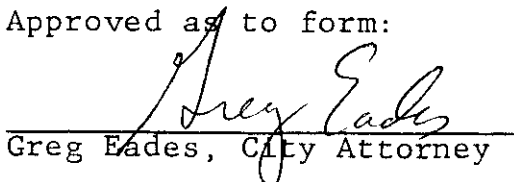
Signed by the Mayor on October 16th, 1984.


Ronald D. Kinsella, Mayor

ATTEST:


Laurie Perkin, Recorder

Approved as to form:


Greg Eades, City Attorney