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Chapter 14 - EMERGENCY MANAGEMENT AND EMERGENCY SERVICES
ARTICLE VII. - ALARM SYSTEMS

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Sec. 14-391. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm agent means a person employed by an alarm business whose duties include selling on premises, altering, installing, moving, repairing, replacing, servicing, responding to or monitoring an alarm system, or a person who manages or supervises a person employed by an alarm business to perform any of the duties described in this definition. The term "alarm agent" does not include a person who engages in the manufacture or sale of an alarm system from a fixed location and who neither visits the location where the alarm system is to be installed nor designs the scheme for physical location and installation of the alarm system in a specific location.

Alarm business means the business by any person who, for any consideration, engages in business or accepts employment selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing,

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moving or installing any alarm system in or on any building, structure or facility or who responds to alarm systems except for any alarm agent.

Alarm system means any mechanical or electronic device or assembly of equipment and devices which is designed or used for the detection of an unauthorized entry into a building, structure or facility; for deterring others from the commission of an unlawful act within a building, structure or facility; or to signal the presence of a hazard requiring urgent attention and which emits a sound or transmits a signal or message when activated to which police are expected to respond. 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.

Alarm vendor means the person who owns, leases, rents, uses or makes available for use by his agents, employees, representatives or family any alarm system.

Applicant means a person who files an application for a new, renewal, or reinstated permit as provided in this article.

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 actuated.

Day means a calendar day.

Direct dial service means a device which is connected to a telephone line and, upon activation of an alarm system, automatically transmits a message or signal indicating a need for emergency response.

False alarm means an alarm signal activated by causes other than the commission or attempted commission of an unlawful act which the alarm system is designed to detect necessitating response by the police department where an emergency situation does not exist. An alarm signal activated by violent conditions of nature or other extraordinary circumstances not subject to the control of the alarm subscriber shall not constitute a false alarm.

Notice means written notice, given by personal service upon the addressee or given by United States mail, postage prepaid, addressed to the person to be notified at his last known address. Service of such notice shall be effective upon the completion of personal service or upon the placing of the notice in the custody of United States Postal Service.

Permit revocation means the permittee can no longer maintain an alarm which emits a sound, signal or message to which the police are expected to respond.

Permittee means any person granted a permit under this article.

Proprietor alarm means an alarm which is not serviced by an alarm business.

Public nuisance alarm means an alarm which has had more than six false alarms in any consecutive 365-day period.

Residence means the premises occupied by a person as a regular place of abode and which conforms to the city zoning ordinance.

Service fee means a fee paid to the city after an excessive number of false alarms.

Subscriber means any person who purchases, leases, contracts for or otherwise obtains an alarm system or for the servicing or maintenance of an alarm system from an alarm business.

(Code 1959, § 22-101; Ord. No. 3348, § 1 (part))

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Cross reference— Definitions generally, § 1-2.

Sec. 14-392. Penalties for violation.

- (a) Any person who violates or willfully fails to comply with sections in this article is guilty of an infraction, except where otherwise expressly provided.
- (b) Any person violating any section of this article who has previously been found guilty of an infraction under this article for violation of the same section within the past 12-month period may be deemed guilty of a misdemeanor.

(Code 1959, § 22-131; Ord. No. 3348, § 1 (part))

Sec. 14-393. Confidentiality.

The information furnished and secured pursuant to this article shall be confidential in character 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 and enforcement of this article.

(Code 1959, § 22-132; Ord. No. 3348, § 1 (part))

Sec. 14-394. Enforcement.

- (a) The conviction of any person for violation of this article or for failing to secure a permit as required by this article shall not relieve the person from paying the permit fee due and unpaid at the time of the conviction, nor shall payment of any permit fee prevent criminal prosecution for violation of any of the sections of this article.
- (b) The amount of any permit fee, service response fees and excessive false alarm penalty fees, including any cost incurred by the city in the collection of response service fees and excessive false alarm penalty fees, shall be deemed a debt to the city.
- (c) All remedies shall be cumulative and the exercise of one or more remedies by the city shall not bar the exercise of any other remedy for the purpose of enforcing this article and the collection of debts owed to the city

(Code 1959, § 22-133; Ord. No. 3348, § 1 (part); Ord. No. 4167, § 1, 9-10-2012)

Sec. 14-395. Purpose.

The purpose of this article is to set forth regulations governing burglary and robbery alarm systems, businesses and agents within the city; require permits therefor; establish fees; and provide for punishment for violation of this article.

(Code 1959, § 22-100; Ord. No. 3348, § 1 (part))

Sec. 14-396. Exemptions.

- (a) This article is not applicable to audible alarms affixed to automobiles.

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- (b) The United States government, the state, counties and other governmental entities are exempt from fees required in this article, but such entities shall be subject to obtaining permits and enforcement for false alarm violations of this article.

(Code 1959, §§ 22-109, 22-124; Ord. No. 3348, § 1 (part))

Sec. 14-397. Enforcement.

The police department shall enforce this article.

(Code 1959, § 22-130; Ord. No. 3348, § 1 (part))

Sec. 14-398. Exceptions.

- (a) A 30-day adjustment period to correct mechanical problems will be allowed for any new, improved or replaced alarm system. Before the false alarm sections of this article shall be applicable to such system, if the permittee shows that any false alarm was the result of conditions beyond his control and not the result of negligence on his part or that of his employees, provided, further, that the permittee can demonstrate that he neither knew of the defect in the alarm system nor in the exercise of due care should have known of such defect, such alarm shall not be deemed a false alarm within the meaning of this article.
- (b) The alarm subscriber may contest the responding officer's determination of a false alarm by contacting the chief of police within five days of notification of the false alarm. The decision of the chief of police concerning false alarms and permit revocations shall be final.

(Code 1959, § 22-125; Ord. No. 3348, § 1 (part))

Sec. 14-399. Audible alarm requirements.

- (a) An audible alarm shall terminate its operation or the audible alarm shall automatically reset within 15 minutes of its being activated.
- (b) If an audible alarm has emitted an alarm signal in excess of 30 minutes within a one-hour period, it may be declared a nuisance. The police department may cause such alarm to be disconnected by a registered alarm agent and the cost thereof to be a charge payable by the alarm subscriber.

(Code 1959, § 22-102; Ord. No. 3348, § 1 (part))

Sec. 14-400. Automatic dialing into city lines prohibited.

No person shall install, use or cause to be used any telephonic device which is activated electronically to automatically dial a public telephone line of the city.

(Code 1959, § 22-103; Ord. No. 3348, § 1 (part))

Sec. 14-401. Live answering service.

Under this article any automatic telephonic dialing system shall dial to and the message shall be received by a live answering service such as a private alarm dispatch center.

(Code 1959, § 22-104; Ord. No. 3348, § 1 (part))

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Sec. 14-402. Use of digital communicator systems.

Under this article the use of digital communicator systems shall be permitted, if the following conditions are met:

- (1) Digital communicator receivers are to be interfaced to the police department's computer-aided dispatch system.
- (2) The telephone number dialed by the digital communicator system is not a number used by the city or listed in the telephone directory.
- (3) All costs incurred pursuant to subsection (1) or (2) of this section are to be provided at no cost to the city.

(Code 1959, § 22-105; Ord. No. 3348, § 1 (part))

Sec. 14-403. Possession of state identification by agents.

Every alarm agent, while engaged in the duties of an alarm agent, shall carry on his person at all times a valid identification card issued pursuant to the Alarm Company Act (Business and Professions Code § 7590 et seq.), issued by the department of consumer affairs, and shall display the identification card to any police officer upon request.

(Code 1959, § 22-106; Ord. No. 3348, § 1 (part))

Sec. 14-404. Business license and subscriber data required.

- (a) Each alarm business installing or repairing alarm systems or acting as an alarm agent for alarm subscribers within the city shall be required to obtain and maintain a City of Pomona business license. Prior to issuance of a business license, each alarm business and alarm agent shall submit to the city contact information, as specified by the chief of police, for each alarm subscriber and for each and every location within the city for which the alarm business or agent provides alarm services.
- (b) Each alarm business or agent providing alarm services to subscribers within the city shall notify the city of any change in subscriber information within 30 days of such change. A "change in subscriber information" requiring notification to the city shall include, but not be limited to, discontinuance of service by a subscriber, a new subscriber, or a change of subscriber contact information.
- (c) Failure by an alarm business or agent to comply with subsections (a) and (b) above shall deem such alarm business or agent fiscally responsible for any service response fees and excessive false alarm penalties, if such failure to comply results in the city's inability to recover service response fees and penalties.
- (d) In the event an alarm system is not serviced by an alarm business or alarm agent, it shall be the responsibility of the business owner where the alarm is located or, if a residence, the responsible party on record for utilities at the residential location to obtain the required permit and provide any change in subscriber information to the city within 30 days of such changes.
- (e) In the event of excessive false alarms received from a business location or residential dwelling that has been vacated, the owner of record on file with the Los Angeles County Recorder during any 365-day period shall be responsible for payment of response service fees and false alarm penalty fees.

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- (f) Non-compliance with any provisions of this section may be punishable as an infraction and shall be subject to the administrative citation process.

(Code 1959, § 22-107; Ord. No. 3348, § 1 (part); Ord. No. 4167, § 2, 9-10-2012)

Cross reference— Licenses, permits and miscellaneous regulations, ch. 30.

Sec. 14-405. False alarms.

A person shall not knowingly turn in a false alarm. This section does not prohibit a test of an alarm system if procedures are taken to ensure that no signal is transmitted to the police department.

(Code 1959, § 22-117; Ord. No. 3348, § 1 (part))

Sec. 14-406. Corrective action for false alarms.

After any false alarm, the alarm subscriber shall, upon request by the police department, submit a written report within ten days describing actions taken or to be taken to eliminate the cause of future false alarms.

(Code 1959, § 22-118; Ord. No. 3348, § 1 (part))

Sec. 14-407. Response to alarm system activations.

If the police department determines that a false alarm has occurred, the police officer responding to the alarm shall leave a notice at the premises which shall include the date and time of the response and a statement that the alarm was a false alarm and the subscriber should take action to correct the causative problems and a warning that more than six false alarms in any 12-month period will result in the alarm system being declared a public nuisance. Multiple activations of an alarm system within a calendar day shall count as only one false alarm for the purpose of this article. However, multiple activations will require the subscriber to submit within ten days a written confirmation that prior multiple activation causes have been corrected. A copy of this notice will be filed with the alarm owner's permit application. Once an alarm system has been declared a public nuisance, it can no longer emit a sound, signal or message to which the police are expected to respond. Violators will be punished in accordance with section 14-394.

(Code 1959, § 22-119; Ord. No. 3348, § 1 (part))

Sec. 14-408. Grounds for service fees and penalty fees for false alarms.

Under this article service fees and penalty fees shall be paid to the city by an alarm subscriber after the police department has responded to an excessive number of false alarms generated from any one source or subscriber. Service response fees and excessive false alarm penalty fees shall be set according to the following schedule:

- (1) The first and second false alarms in any consecutive 365-day period shall not be considered excessive, and no service response fee or excessive false alarm penalty fee shall be assessed.
- (2) For the third false alarm within any consecutive 365-day period, the subscriber shall pay a service response fee set by resolution of the city council; however, no excessive false alarm penalty fee shall be assessed.

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- (3) For the fourth false alarm within any 365-day period, the subscriber shall pay both a service response fee set by resolution of the city council and an excessive false alarm penalty fee of \$156.00.
- (4) For the fifth false alarm within any 365-day period, the subscriber shall pay both a service response fee set by resolution of the city council and an excessive false alarm penalty fee of \$220.00.
- (5) For the sixth false alarm and each subsequent false alarm within any 365-day period, the subscriber shall pay both a service response fee set by resolution of the city council and an excessive false alarm penalty fee of \$256.00.

(Code 1959, § 22-120; Ord. No. 3348, § 1 (part); Ord. No. 3515, § 1; Ord. No. 4167, § 3, 9-10-2012)

Sec. 14-409. Impermissible systems and uses.

- (a) No person shall operate or use any alarm system that emits a sound similar to that of an emergency vehicle siren or a civil defense warning system.
- (b) No person shall operate or use an alarm system designed to report a violation of Penal Code § 211 for any purpose other than reporting robberies or other crimes involving potential serious bodily injury or death.

(Code 1959, § 22-128; Ord. No. 3348, § 1 (part))

Secs. 14-410—14-430. Reserved.