

ORDINANCE NO. 3278

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
AND RESTATING IN ITS ENTIRETY CHULA VISTA
MUNICIPAL CODE CHAPTER 9.06, SECURITY ALARM
SYSTEMS, WITH THE NEW TITLE "SECURITY ALARMS"

WHEREAS, Chula Vista Municipal Code Chapter 9.06, security alarm systems, was adopted in 1982 and amended in 1995 to require registration of security alarms and to reduce false activations of such alarms; and

WHEREAS, a new municipal code chapter regulating security alarms is necessary to implement best practices identified by the alarm industry that reduce police dispatches to false alarms; and

WHEREAS, the Chula Vista Police Department seeks to continuously improve public safety services for all residents and to most efficiently use its limited resources; and

WHEREAS, Department officers responded to more than 5,400 alarms in 2012 at residences and businesses; and

WHEREAS, alarms accounted for eight percent of all calls for service to the Department in 2012 and were the number one call type for Fiscal Years 2009/2010 to 2011/2012; and

WHEREAS, nearly all alarms are false: 99.7 percent of residential alarms are false and 98.6 percent of commercial alarms are false; and

WHEREAS, the Department has identified false alarms as an excessive and unnecessary drain on its limited resources; and

WHEREAS, responding to false alarms takes police officers and police dispatchers away from actual public safety needs, to the detriment of true crime victims and the entire community; and

WHEREAS, a consultant's study of staffing and operational practices in 2012 recommended that the Department require a verified response to alarms – confirmation provided by an alarm company through a security guard, video, or audio at an alarm site that an actual or attempted crime is in progress before an officer is dispatched – to reduce police resources lost to false alarms; and

WHEREAS, the consultant's study of staffing and operational practices in 2012 found that uniformed field officers' overall proactive time for patrol operations was at 22 percent - an inadequate ratio to perform the most effective policing in the community; and

WHEREAS, the Department's proposal to require a verified response for security alarms was opposed by members of the alarm industry and most of the approximately 60 alarm users who attended an August 2012 informational presentation at Olympian High School; and

WHEREAS, residents who attended the August 2012 presentation and residents who provided feedback in other forums urged the Department to explore other options to reduce police dispatches to false alarms instead of verified response, including increasing fines to deter false alarms; and

WHEREAS, with the goal of reducing the number of police dispatches to false alarms while meeting alarm users' expectations for a police response to an alarm, the Department subsequently researched ideas and opinions from alarm users in the community and how to best use verified response, identified alarm-industry best practices, and consulted with members of the alarm industry at the local, state and national levels; and

WHEREAS, modern alarm ordinances in other communities in the nation (such as Spokane, Washington) have been identified as successful models because they reduced police dispatches to false alarms by nearly 80 percent over a few years by incorporating alarm-industry best practices, such as requiring registration of alarm permits; requiring enhanced call verification – alarm monitors must make at least two phone calls to the alarm user before calling police; enforcing false alarm fines; accepting cancellations of service requests prior to dispatch; suspending a police response to chronic abusers; and using a third-party administrator to administer the ordinance; and

WHEREAS, by implementing best practices, the Department anticipates a reduction of police dispatches to false alarms, which would free up officers to focus on actual public safety needs; reduce response times to urgent calls, such as domestic violence; and permit officers to work proactively on community priorities, as well as crime prevention.

NOW, THEREFORE, with the above recitations contained herein, the City Council of the City of Chula Vista does, hereby, ordain as follows:

Section I.

The Chula Vista Municipal Code Chapter 9.06, Security Alarm Systems, is hereby amended and restated in its entirety with the new title, Security Alarms, as follows:

Chapter 9.06
SECURITY ALARMS

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Article I.

General Provisions and Definitions

9.06.010 Short title

This chapter shall be known and cited as the “Chula Vista security alarm ordinance.”

9.06.020 Legislative findings and purpose

The city council finds and determines that:

A. Inadequately operated, maintained or installed security alarm systems in residential and commercial buildings can cause false alarms;

B. The persistent, high volume of false alarms endangers the health, safety and welfare of the city’s residents:

C. False alarms also drain limited police resources by preventing, diverting, or delaying police officers and police dispatchers from serving actual public safety needs, such as answering calls for service, addressing the community’s public safety priorities, enforcing laws, investigating and solving crimes, and preventing crime:

D. The unnecessary waste of public tax dollars by police responses to false alarms must be reduced;

E. Regulating alarm systems, alarm users, and companies that provide alarm services in the city is necessary to ensure that every residence and every business in the city, not just those that can afford a security system and monitoring service, are afforded the safety and protection provided by law enforcement;

F. The purpose of this chapter is to encourage alarm businesses and alarm users to maintain the operational viability of their security alarm systems and to significantly reduce or eliminate false alarm dispatch requests made to the police department;

G. Regulating alarm systems installed in buildings, alarm users, and alarm businesses is a matter of public policy in pursuing security and promoting the public health, safety and welfare of the city and its residents.

9.06.030 No city duty created

The provisions of this chapter are adopted as an exercise of the city's police power to promote the public health, safety, and welfare and are not intended to protect individuals or otherwise establish or create a special relationship with any particular class or group of persons who will or may be affected by the provisions of this chapter. This chapter neither creates nor imposes any duty to protect on the part of the city nor any of its departments, divisions, officials, agents, or employees. The obligation of complying with the requirements of this chapter and the consequences for failing to do so are placed solely upon the parties responsible for owning, operating, monitoring, or maintaining alarm systems within the city. Nothing in this chapter shall be interpreted as requiring or promising any response by public safety officers to any alarm.

9.06.040 Definitions

A. "Alarm administrator" means the person designated by the chief of police to administer the provisions of this chapter and the rules and regulations adopted pursuant to Section 9.06.060.

B. "Alarm appeals officer" means the person designated by the city manager to hear and decide appeals related to fines and denials and revocations of alarm permits pursuant to Section 9.06.220.

C. "Alarm business" means the selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving, installing any alarm system in or on any building, real property, or premises.

D. "Alarm company" means any person engaged in an alarm business for any consideration whatsoever. This term includes an "alarm system monitoring company."

E. "Alarm dispatch request" means a communication to the department, via police dispatch, by an alarm company indicating that an alarm system has been activated at a particular alarm site and requesting a police response to that alarm site.

F. "Alarm system" means an "alarm system" as defined in California Business and Professions Code Section 7590.1 and which is installed in a building.

G. "Alarm system monitoring company" or "monitoring company" means any person that, for any consideration whatsoever, engages in the business, practice, or profession of monitoring alarm systems within the city, and that reports, directly or indirectly, any activation of alarm systems to the city, its departments, divisions, officials, agents, or employees, including, but not limited to, the police department and/or police dispatch.

H. "Alarm user" means a person having or maintaining an alarm system on real property owned or controlled by that person.

I. "Alarm permit" means that permit required under Section 9.06.150.

J. "Audible alarm" means an alarm system that, when activated, generates an audible sound at its location.

K. "Chief of police" means the chief of police of the city or his or her designee.

L. "City" means the City of Chula Vista and/or the area within the incorporated municipal boundaries of the City of Chula Vista.

M. "Department" means the Chula Vista Police Department.

N. "Duress alarm" (also "hold-up alarm," "panic alarm," or "robbery alarm") means an alarm signal generated by the manual or automatic activation of a device, or any system, device or mechanism, installed in or near a building intended to signal that a robbery or other serious crime is in progress, and that one or more persons are in need of immediate police assistance in order to avoid injury, serious bodily harm or death.

O. "Enhanced call verification" is a monitoring procedure requiring that a minimum of two calls be made prior to making an alarm dispatch request. At least two calls must be made to different phone numbers where a responsible party can typically be reached.

P. "False alarm" means an alarm to which a police officer responds and, in the opinion of that officer, no evidence of the commission or attempted commission of a crime is present that can be reasonably attributed to have caused the alarm activation, or the responding officer is unable to determine if evidence of a crime or attempted crime is present because the site is inaccessible.

Q. "One-plus duress alarm," prohibited by 9.06.130.D and 9.06.230.C, means an alarm system that permits the manual activation of an alarm signal by entering on a keypad a code that adds the value of one ("1") to the last digit of its usual arm/disarm code.

R. "Panic alarm" – see Subsection N, "duress alarm."

S. "Person," for purposes of this chapter, means an individual, individuals, corporation, partnership, association, organization or similar entity.

T. "Robbery alarm" – see Subsection N, "duress alarm."

U. "Verified response" means information received from a person physically present at an alarm site, or from real-time audio or video surveillance at the site, that positively verifies evidence of a crime or an attempted crime at the alarm site.

9.06.050 Enhanced call verification required

A. No alarm system monitoring company shall request a police response to an alarm unless the alarm system monitoring company has already made at least two telephone calls to determine whether the alarm signal is valid or false.

B. One telephone call shall be to the premises where the alarm system is located. The second telephone call shall be to an alternate telephone number designated by the alarm user for this purpose.

C. This requirement for enhanced call verification shall not apply to duress alarms.

9.06.060 Administration by chief of police

A. Responsibility for administration of this chapter is vested with the chief of police.

B. The chief of police may designate an alarm administrator to carry out the duties and functions described in this chapter.

C. The city manager may designate one or more persons to serve as alarm appeals officer(s) to carry out the duties and functions related to appeals of false alarm fines and the denial or revocations of alarm permits as described in this chapter.

D. In order to administer and implement the provisions of this chapter, the chief of police may adopt written rules and regulations that are consistent with the provisions of this chapter.

9.06.070 Non-residential/commercial alarm systems exempt

The provisions of this chapter do not apply to alarms installed in automobiles, motorcycles, boats, boat trailers, recreational vehicles, aircraft, or alarms carried by or worn on a person.

9.06.080 Government entities exempt from fees, fines and charges

Except for provisions relating to permit fees and false alarm fines, municipal, county, state and federal agencies are required to comply with, and are subject to, the provisions of this chapter.

9.06.090 Fees, fines and charges

The amount of all fees, fines, and charges specified in this chapter shall be set by resolution of the city council, in accordance with Chula Vista Municipal Code Chapter 3.45, Master Fee Schedule.

9.06.100 Confidentiality

To the extent authorized by state law, the information furnished to the city pursuant to this chapter shall be kept confidential by the city and the alarm administrator, and shall not be subject to public inspection or disclosure.

Article II.

Alarm Company Licenses and Duties.

9.06.110 Alarm company licenses required

A. Pursuant to Chula Vista Municipal Code Section 5.02.020, every alarm company must have a valid business license issued by the city before conducting alarm-related business or providing alarm-related services in the city.

B. In addition to a city business license, every alarm company doing business in the city must possess a valid license issued by the State of California, Department of Consumer Affairs, Bureau of Security and Investigative Services, pursuant to the Alarm Company Act, Business and Professions Code Section 7590 et seq. A copy of this state license shall be submitted with the application for a city business license.

C. If a state alarm license is suspended, revoked or otherwise invalidated by the issuing authority, the alarm company must notify the alarm administrator in writing within three days and must cease business operations in the city.

D. Violation of this section is punishable pursuant to Chula Vista Municipal Code Chapter 1.20, General Penalty.

9.06.120 Denial of business license – Appeal – Hearing – Notice required

Pursuant to Chula Vista Municipal Code Section 5.02.110, in cases where a business license is denied, the applicant shall have the right to appeal such denial of a license to the city manager. Such appeal shall be in writing and shall be delivered to the office of the city manager within 10 days of the notice of disqualification. The city manager, or official designee, shall hear and determine the appeal within 60 days after it is filed. The hearing shall be conducted in accordance with the provisions of Chapter 1.40, Administrative Procedure and Process, Chula Vista Municipal Code. The determination of the city manager or official designee shall be final. A fee as set forth in the master fee schedule shall be imposed by the city manager as a condition to filing any appeal. The fee shall not be greater than the anticipated cost of processing and conducting the appeal, and if the appeal results in issuance of the license, the appeal fee shall be reimbursed to the applicant in accordance with the provisions of Chapter 1.40, Chula Vista Municipal Code.

9.06.130 Alarm company duties

A. All alarm installation and/or monitoring companies shall ensure that their customer information is updated with the alarm administrator or designee at least monthly. This information shall include, but is not limited to:

1. customer name and contact information (i.e., all phone numbers, email addresses);
2. alarm site address and billing address;
3. monitoring company name and contact information; and
4. installation date, or date the alarm monitoring ended.

B. All alarm installation and/or monitoring companies shall ensure that an on-site inspection of the alarm system shall occur at least once every three years. The records of these inspections shall be made available to the alarm administrator upon request.

C. The alarm installation company shall provide written and oral instructions to each of its alarm users in the proper use and operation of their alarm systems. Such instructions will specifically include all instructions necessary to turn the alarm system on and off and to prevent false alarms.

D. Alarm installation companies shall not program alarm systems so that they are capable of sending one-plus duress alarms.

E. Alarm installation companies shall not install a device to activate a hold-up alarm, which is a single action, non-recessed button.

F. Alarm installation companies shall, on new installations, use only alarm control panels that are listed with Underwriters' Laboratories, Inc. or a nationally recognized testing organization.

G. An alarm company shall not install or use automatic voice dialers which call 911 or the police department.

H. After completion of the installation of an alarm system, an alarm company employee shall review with the alarm user a false alarm prevention checklist established by the alarm administrator.

I. Every alarm system monitoring company shall:

1. report alarm activations or signals by using the telephone numbers designated by the alarm administrator.

2. attempt to verify every security alarm signal prior to requesting a police dispatch by making at least two phone calls to the alarm site and responsible party or parties, pursuant to Section 9.06.050.

- a. This procedure does not apply to duress signals.

- b. This procedure does not apply to cases in which the alarm system monitoring company detects a crime or attempted crime in progress through an alarm system's audio or video.

3. communicate alarm dispatch requests to the department in a manner and form determined by the alarm administrator. Such requests shall include, at a minimum:

- a. any available information (north, south, front, back, floor, etc.) about the location on all alarm signals related to the alarm dispatch request.
 - b. type of alarm activation (silent or audible, interior or perimeter.)
 - c. an alarm permit number when requesting an officer dispatch.
4. communicate cancellations to the department in a manner and form determined by the alarm administrator.
5. ensure that all alarm users of alarm systems equipped with duress, hold-up or panic alarm(s) are given adequate training as to the proper use of the duress, hold-up or panic alarm(s).
- a. Alarm system training shall be provided to every alarm user and/or additional training provided in situations where the alarm user has incurred four or more false duress alarms in a 12-month period resulting from unintentional, intentional, or accidental activation.
6. after an alarm dispatch request, promptly advise the Department if the monitoring company knows that the alarm user or a responder is on the way to the alarm site.
7. attempt to contact the alarm user or responder within twenty-four hours via mail, fax, telephone or other electronic means when an alarm dispatch request is made.
8. maintain for a period of at least one year from the date of the alarm dispatch request, records relating to alarm dispatch requests.
- a. Records must include the:
 - i. name, address, telephone number, and email address of the alarm user;
 - ii. alarm system zone(s) activated
 - iii. time of alarm dispatch request
 - iv. evidence of an attempt to verify
 - b. The alarm administrator may request and an alarm system monitoring company shall provide copies of such records for individually named alarm users.
 - c. If the request is made within sixty days of an alarm dispatch request, the monitoring company shall furnish requested records within ten business days of receiving the request.
 - d. If the records are requested between sixty days to one year after an alarm dispatch request, the monitoring company shall furnish the requested records within thirty days of receiving the request.
 - e. To the extent permitted under the law, the records described in this section shall be treated as confidential by the alarm system monitoring company and the city.

J. An alarm installation company and/or monitoring company that purchases alarm system accounts from another person shall notify the alarm administrator of such purchase and provide details as may be reasonably requested by the alarm administrator.

Article III Alarm User Duties and Permits

9.06.140 Alarm user duties

A. Each alarm user is responsible for:

1. obtaining a permit from the city for his or her alarm system within 30 days after installation or prior to activation, whichever is first.
2. paying the permit fee.
3. providing to and maintaining with the city current contact information.

B. Each alarm user is responsible for ensuring that his or her alarm system is used lawfully, properly, and in accordance with the manufacturer's directions. Inherent in this responsibility is ensuring that all persons with access to the alarm system are properly trained on correct use of the system, are authorized to cancel accidental activations, and ensuring that procedures and practices are followed that minimize the risk of false alarms.

C. Each alarm user is responsible for keeping his or her alarm system properly maintained and in good working order.

D. Each alarm user is financially responsible for paying permit fees, fines associated with a police response to false alarms from his or her alarm site, and any other related charges. (See the Master Fee Schedule.)

E. An alarm user's failure to meet the responsibilities listed in subsections (A), (B), (C) or (D) of this section, or any other requirement for alarm users imposed in this chapter, may lead to revocation of the alarm permit. See Section 9.06.170, revocation of alarm use permit.

9.06.150 Alarm permit required

A. No person shall use an alarm system installed in a building or structure in the city unless the person holds a valid alarm permit issued pursuant to this chapter.

B. No alarm company providing alarm-related services in the city shall activate an alarm monitoring service or initiate alarm dispatch requests relative to any alarm site in the city unless the alarm user has first obtained an alarm permit as required in this chapter.

C. Each alarm permit shall be valid for only one alarm system, one location, and one alarm user.

D. Operating an alarm without an alarm permit is subject to a fine, the equivalent of a first-time false alarm fine, as set out in the city's Master Fee Schedule. The fine may be reduced one time per alarm site by the amount of the alarm permit, if the user obtains an alarm permit within 30 days of incurring the false alarm fine.

E. Each alarm permit shall be valid for one year from the date of issuance, unless earlier revoked pursuant to this chapter.

F. Two-year alarm permits that are valid on the date this ordinance becomes effective will be honored for the duration of the permit, unless earlier revoked pursuant to this chapter. An annual permit will be required upon expiration of the two-year permit.

G. An alarm permit is attached to the alarm user and the alarm site and is not transferable.

1. A new alarm permit must be obtained by the new owner/occupant whenever there is a change of ownership or control of an alarm site.

H. Information required in the alarm permit application shall be determined by the alarm administrator and shall include pertinent contact information, including but not limited to the following: user name, address, email address, contact phone numbers, alarm system information, and contact information for the alarm monitoring service.

I. An alarm permit may be renewed under the following conditions:

1. The alarm site has no past-due fees, fines or penalty assessments.
2. The permit has not been revoked for excessive false alarms.
3. The alarm user either updates his/her permit information or verifies that the permit information is still correct.
4. The appropriate annual permit fee is paid.

J. Renewal information and fees are due and must be submitted to the alarm administrator on or before the expiration date of the permit each year.

K. Alarm permit fees are listed in the City of Chula Vista's Master Fee Schedule, available from the Finance Department or on the City's website.

9.06.160 Denial of alarm permit

The alarm administrator shall deny the issuance of an alarm permit to an applicant if one or more of the following circumstances exist:

- A. The alarm system does not comply with this chapter or the rules and regulations adopted by the chief of police pursuant to this chapter.
- B. The applicant has knowingly made any false, misleading or fraudulent statement of a material fact in the application for an alarm permit, or in any report or record required to be filed with the city pursuant to the provisions of this chapter.
- C. The applicant has failed to remit payment of fees, fines, or charges owed under this chapter and the Master Fee Schedule up to the date of the filing of the application.
- D. The applicant has had an alarm permit previously revoked within one year of the date of the application, and the applicant cannot provide evidence to the alarm administrator's satisfaction that a material changes in circumstances has occurred since the date of revocation indicating the applicant's ability to comply with the provisions of this chapter.

- E. The applicant has violated any of the provisions of this chapter within three years prior to the date of application; unless the applicant provided evidence to the alarm administrator's satisfaction that the applicant is capable of complying with the provisions of this chapter.

9.06.170 Revocation of alarm permit

A. Four or more false alarms. An alarm permit may be revoked for the duration of the permit upon the fourth false alarm in a 12-month period.

B. Additional grounds for revocation. An alarm permit may be revoked for the duration of the alarm permit for any of the grounds for denial of alarm permit issuance listed in Section 9.06.160.

C. An alarm user whose alarm permit has been revoked pursuant to this chapter may apply for reinstatement of the alarm permit by (1) completing a false alarm awareness class, and (2) submitting a false-alarm abatement plan for the approval of the alarm administrator, and (3) paying any and all false alarm fines and penalties due.

D. False alarm awareness class. The alarm administrator shall make available an on-line false alarm awareness class to those whose alarm permits have been revoked pursuant to this section.

1. Successful completion of the alarm administrator's false alarm awareness class by an alarm user also may serve in lieu of payment of a first-time false alarm fine, one time, per registered alarm site.

a. Following successful completions of the false alarm awareness class, the next false alarm will be billed as second false alarm under the city's Master Fee Schedule.

2. Any enrollment fee for the false alarm awareness class shall be less than the fine for a first-time false alarm, as set out in the Master Fee Schedule.

9.06.180 Verified response required

A. Verification that a crime or attempted crime is in progress must be provided by an alarm system monitoring company concurrently with a request for a police response to a security alarm at alarm sites with excessive false alarms – four or more false alarms in a 12-month period – in the following circumstances:

1. No permit. When an alarm site without a valid alarm permit has four or more false alarms in a 12-month period; or

2. Permit revoked. When an alarm permit has been revoked pursuant to Section 9.06.170.A (four or more false alarms in a 12-month period); or

3. Exempt. When an alarm user that is exempt from this chapter has four or more false alarms in a 12-month period.

B. Verification shall be by real-time audio or video surveillance provided by the alarm system and reviewed by the alarm system monitoring company, or by a third-party report from the alarm site sent to the alarm system monitoring company, that positively verifies evidence of a crime or an attempted crime at the alarm site.

C. The alarm system monitoring company shall retain evidence of the verification for one year from the alarm and shall provide copies of such evidence to the alarm administrator upon request.

D. If an alarm user appeals the requirement for verified response, pursuant to Section 9.06.220, the alarm user must demonstrate compliance with the provisions of this chapter, including (1) obtaining a valid alarm permit; (2) completing a false alarm awareness class; (3) submitting a false-alarm abatement plan for the approval of the alarm administrator; and (4) paying any and all false alarm fines and penalties due.

9.06.190 Right to discontinue response

The Department reserves the right to discontinue a police response to any alarm site for excessive false alarms – four or more false alarms in a 12-month period. Eligibility for a police response may be reinstated pursuant to Section 9.06.180.A.

9.06.200 Cancellation of dispatch requests

An alarm system monitoring service shall communicate cancellation of a request for a police response in the manner required by the alarm administrator. Cancellation of a request for a police response to an alarm before a police officer is assigned to the call shall not count as a false alarm for the purposes of this chapter.

9.06.210 Annual renewal of alarm permit

Alarm permits must be renewed annually.

A. The renewal application shall be submitted to the alarm administrator, accompanied by a nonrefundable renewal application fee.

B. Renewal may be denied for any reason that is grounds for denial or revocation of the user permit, pursuant to Section 9.06.160 or Section 9.06.170.

9.06.220 Notices of denial or revocation of alarm permit; fines; verified response required; appeal

A. If the alarm administrator determines that an alarm permit should be denied, or revoked, or a false-alarm fine imposed on an alarm user, or that a verified response is required, the alarm administrator must provide the alarm user with written notice thereof, including the reasons therefore. The notice may be provided by email, facsimile or U.S. mail.

B. The alarm user shall have the right to appeal such denial, revocation, fine or verified response requirement to the city. Such appeal shall be in writing and shall be delivered to the office of the city manager within 10 days of the date of the notice of denial, revocation or fine. The city manager or his or her designee, acting as the alarm appeals officer, shall hear and determine the appeal within 60 days after it is received by the city manager. The hearing shall be conducted in accordance with the provisions of Chapter 1.40, Chula Vista Municipal Code. The determination of the city manager or designee shall be final. A fee as set forth in the Master Fee Schedule shall be imposed by the city manager as a condition to filing any appeal. The fee shall not be greater than the anticipated cost of processing and conducting the appeal in accordance with the provisions of Chapter 1.40, Chula Vista Municipal Code.

Article IV. Alarm System Standards.

9.06.230 Alarm System - Manufacturing standards.

A. Alarm systems installed within the city after enactment of this chapter shall be listed with Underwriters' Laboratories, Inc., or a nationally recognized testing organization.

B. The alarm administrator may grant an exception to the requirement in subsection A of this section when the alarm administrator determines that the alarm system meets or exceeds the applicable alarm testing standards set by Underwriters' Laboratories, Inc. or a nationally recognized testing organization. The alarm administrator may require the alarm company or alarm user to submit documentation and certification from a qualified authority necessary to make the exception determination.

C. One-plus duress response alarms are not permitted under any circumstances.

9.06.240 Alarm System – Operational standards

A. Audible alarms. No person shall install or use any alarm system with an alarm that is audible for a period of more than fifteen (15) minutes each time the alarm is activated.

B. Automatic alarms. No person shall install or use any alarm system that automatically sends any pre-recorded message or signal to the city, its officers, or employees without the prior written consent of the chief of police.

C Differentiation of security/robbery alarms. No person shall operate a security alarm system in the city that fails to differentiate security/property/intrusion alarm activations from robbery/hold-up/panic/duress alarm activations, or that fails to accurately report such activations independently.

D. Differentiation of other alarms. No person shall operate a security alarm system in the city that fails to differentiate police incidents (i.e., security/property/intrusion alarm activations, robbery/hold-up/panic/duress alarm activations) from fire, medical or other non-police incidents, or that fails to accurately report such incidents independently.

Section II. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section III. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.


Section IV. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section V. Publication

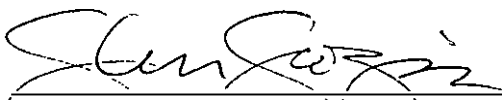
The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by



David Bejarano
Police Chief

Approved as to form by



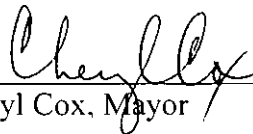
Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 19th day of November 2013, by the following vote:

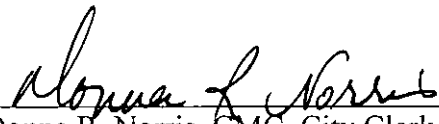
AYES: Councilmembers: Aguilar, Ramirez, Salas and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: Bensoussan


Cheryl Cox, Mayor

ATTEST:


Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3278 had its first reading at a regular meeting held on the 28th day of May 2013 and its second reading and adoption at a regular meeting of said City Council held on the 19th day of November 2013; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

November 10, 2013
Dated


Donna R. Norris, CMC, City Clerk