

1 SECTION 2. Ordinance 1952, Section 1, and K.C.C. 12.32.010 are each
2 hereby amended as follows:

3 The installation or use of any electric, electronic or mechanical security device
4 which gives automatic notice to the communications center of the ((King County
5 ~~department of public safety~~)) sheriff's office, is prohibited, except by federal, state or local
6 government agencies acting with the permission of the ((~~director of the King County~~
7 ~~department of public safety~~)) sheriff. This provision specifically includes devices utilizing
8 the public telephone system.

9 SECTION 3. Ordinance 1952 (part), as amended, and K.C.C. 12.32.020 are each
10 hereby amended to read as follows:

11 ~~((False alarms--))~~ Definitions. The definitions in this section apply throughout this
12 chapter unless the context clearly requires otherwise.

13 A. "Alarm business" means the business by an individual, partnership,
14 corporation or other entity of selling, leasing, maintaining, monitoring, servicing, repairing,
15 altering, replacing, moving or installing an alarm system or causing to be sold, leased,
16 maintained, monitored, serviced, repaired, altered, replaced, moved or installed an alarm
17 system in or on any building, structure or facility.

18 B. "Alarm dispatch request" means a notification to the sheriff's office by an
19 alarm business or another party that an alarm, either manual or automatic, has been
20 activated at a particular alarm site.

21 C. "Alarm monitoring company" means an individual, partnership, corporation
22 or other form of association that engages in the business of monitoring property, burglary,

1 robbery or panic alarms and reporting activation of the alarm system to a law enforcement
2 agency.

3 D. "Alarm site" means a single premises or location served by an alarm system
4 or systems. Each tenancy, if served by a separate alarm system in a multitenant building or
5 complex, is a separate alarm site.

6 E. "Alarm system" means a system, device or mechanism that, when activated,
7 transmits a telephone message to a private alarm monitoring company or some other
8 number, emits an audible or visible signal that can be heard or seen by persons outside the
9 protected premises or transmits a signal beyond the premises in some other fashion, to
10 report a crime in-progress or other crisis situation requiring a police response. "Alarm
11 system" does not include a fire alarm system, medical alert system or an alarm installed on
12 a motor vehicle.

13 F. "Alarm system user" means a person, firm, partnership, association,
14 corporation, company or organization of any kind that uses an alarm system at its alarm
15 site.

16 G. ~~(A-f)~~ "False alarm" ~~((shall))~~ means the activation of ~~((a))~~ any combination of
17 burglary ~~((or))~~, robbery ~~((by other than a forced entry or attempted forced entry to the~~
18 ~~premises and at a time when no burglary or robbery is being committed or attempted on the~~
19 ~~premises))~~, panic or yard alarm when no crime is being committed or attempted on the
20 premises. An alarm is presumed false if the sheriff's deputies responding do not locate
21 evidence of an intrusion or commission of an unlawful act or emergency on the premises
22 that might have caused the alarm to sound. However, "false alarm" does not include an

1 alarm caused by extraordinary circumstances not reasonably subject to control by the alarm
2 business operator or alarm user. An alarm dispatch request that is canceled by the alarm
3 system monitoring company or the alarm system user before arrival of the responding
4 officer to the alarm site is not a false alarm for the purposes of fine assessment or no-
5 response status designation.

6 H. "Monitoring" means the process by which an alarm business receives
7 signals from the alarm system and relays an alarm dispatch request to the proper
8 jurisdiction for the purpose of summoning police response to the alarm site.

9 I. "No response" means that sheriff's deputies may not be dispatched to
10 investigate a report of an automatic burglary or property alarm system activation at an
11 alarm site that has a record of four false alarms within a continuous six-month period, if the
12 alarm is the only basis for making the dispatch.

13 J. "Premises" means an area or a portion of an area protected by an alarm
14 system.

15 K. "Sheriff" means the sheriff of King County.

16 L. "Verification" means an attempt to avoid an unnecessary alarm dispatch
17 request by the alarm business, or its representative, by contacting the alarm site by
18 telephonic or other electronic means, with or without actual contact with a system user or
19 representative, before requesting a police dispatch.

20 SECTION 4. Ordinance 5655, Section 2, and K.C.C. 12.32.030 are each hereby
21 amended to read as follows:

22 ~~((Responsibilities of Alarm System Owners. Owners of premises on which an alarm~~

1 ~~system is installed shall:~~

2 ~~_____ A. Post at the main entrance to such premises, or on a contract card on file in the~~
3 ~~department of public safety Communications Center, a notice of the telephone numbers at~~
4 ~~which the person or persons authorized to enter such premises can be reached at all times and~~
5 ~~turn off such alarm;~~

6 ~~_____ B. Appear and turn off any such alarm within one hour after being notified by the~~
7 ~~police to do so;~~

8 ~~_____ C. Not activate any robbery or burglary alarm for the purpose of summoning police~~
9 ~~except in the event of an actual or attempted burglary or robbery;~~

10 ~~_____ D. _____ When notifying the police of an activated alarm and having~~
11 ~~knowledge that such activation was apparently caused by an electrical or other malfunction of~~
12 ~~the alarm system, fail at the same time to notify the police of such apparent malfunction.))~~

13 Requirements. A. 1. An alarm system may not have an alarm signal audible on the
14 exterior of an alarm site that sounds longer than ten minutes after being activated.

15 _____ 2. An alarm system may not automatically dial the sheriff's office
16 directly and deliver a prerecorded message unless specifically authorized by the sheriff.

17 B. An alarm user:

18 _____ 1. Shall submit a contact card to be on file in the sheriff's office
19 communications center, a notice of the telephone numbers at which the person or persons
20 authorized to enter the premises can be reached to respond;

21 _____ 2. Shall maintain the premises and the alarm system in a manner that
22 will minimize or eliminate false alarms;

1 3. Shall make every reasonable effort to respond or cause a
 2 representative to respond to the alarm site within one hour when notified by the sheriff's
 3 office to deactivate a malfunctioning alarm system, to provide access to the premises or to
 4 provide security for the premises; and

5 4. May not manually activate an alarm for any reason other than an
 6 occurrence of an event for which the alarm system was intended to report.

7 C. An alarm monitoring company shall:

8 1. Attempt to verify whether an actual crime is being committed at the
 9 alarm site and report the results of its verification attempt to the sheriff's office;

10 2. Request cancellation of an alarm dispatch request upon verifying no
 11 event has occurred that the alarm system was intended to report; and

12 3. Describe in plain language, other than a zone number, the specific
 13 location on the premises of the point of entry or unauthorized access.

14 SECTION 5. Ordinance 5655, Section 3, and K.C.C. 12.32.040 are each hereby
 15 amended as follows:

16 ~~((False Alarm—First Response))~~ Civil penalties for excessive or improper false
 17 alarms. For a response to premises at which no other false alarm has occurred within any
 18 ~~((calendar month, hereinafter referred to as a "first response," no fee shall))~~ consecutive
 19 six-month period, a fee may not be charged, but the person having or maintaining ((such))
 20 the burglary or robbery alarm shall within three working days notice to do so make a
 21 written report to the sheriff on forms prescribed by ((him)) the sheriff setting forth the
 22 cause of ((such)) the false alarm, the corrective action taken and such other information as

1 the sheriff may require to determine the cause of ~~((such))~~ the false alarm and corrective
 2 action necessary.

3 SECTION 6. Ordinance 1952 (part), as amended, and K.C.C. 12.32.050 are each
 4 hereby amended as follows:

5 A. Any person or business, through error, omission~~((s))~~ or
 6 mechanical/electrical failure ~~((which))~~ that causes two or more false alarms in any
 7 ~~((calendar month shall))~~ consecutive six-month period commits an infraction punishable by
 8 a civil penalty. The penalty for the second false alarm ~~((shall be fifty))~~ is seventy-five
 9 dollars. The penalty for the third and successive false alarms ~~((shall be))~~ is one hundred
 10 dollars. Any succeeding false alarms as a result of failure to take the necessary corrective
 11 action ~~((and/))~~ or any non~~((-))~~ payment of any false alarm charges, or both, may result in the
 12 sheriff ordering the disconnection of ~~((such))~~ the alarm until ~~((such))~~ either the corrective
 13 action is taken ~~((and/))~~ or any outstanding charges are paid, or both, or ordering no response
 14 to future alarms~~((, provided that no))~~. However, a disconnection ~~((shall))~~ may not be
 15 ordered as to any premises required by law to have an alarm system in operation.

16 B. Any alarm system business or monitoring company, through error, omission
 17 or mechanical/electrical failure, that violates K.C.C. 12.32.030 commits an infraction
 18 punishable by a civil penalty. The penalty shall be one hundred dollars.

19 NEW SECTION. SECTION 7. There is hereby added to K.C.C. 12.32 a new
 20 section to read as follows:

21 **No response to excessive false alarms.** A. After the third false alarm in a six-
 22 month consecutive period, the sheriff shall send a notification to the alarm user and the

1 alarm monitoring company, if any, by regular mail, that contains the following
2 information:

3 1. That the third false alarm has occurred; and
4 2. That if another false alarm occurs within the six-month period, the
5 sheriff's office will not respond to any subsequent alarm activations without the approval
6 of the sheriff or a visual verification.

7 B. 1. After the fourth false alarm within a consecutive sixth-month period,
8 the police may not respond to subsequent alarms without approval of the sheriff. If police
9 response is suspended, the sheriff shall send a notification of no-response status to:

10 a. The sheriff's office communication center;
11 b. The alarm user, by first class mail; and
12 c. The alarm user's alarm monitoring company, if any, by first
13 class mail.

14 2. The notice must include explanation that the approval of the sheriff
15 for reinstatement may only be obtained by applying in writing for the reinstatement. The
16 sheriff may reinstate the alarm user upon a finding that reasonable effort has been made to
17 correct the false alarms, including documentation from an alarm business, stating that the
18 alarm system is operating properly and that the alarm user's agents are properly trained in
19 the alarm system's operation. The county and sheriff are not responsible for costs incurred
20 by the alarm system user to qualify for reinstatement.

21 C. The suspension of police response must begin ~~ten~~ twenty days after the
22 notice of suspension or notice of no-response status was sent by first class mail to the

1 alarm user unless a written request for an appeal hearing has been filed in the required time
2 period under this chapter.

3 SECTION 8. Ordinance 1952 (part), as amended, and K.C.C. 12.32.060 are each
4 hereby amended as follows:

5 **False alarm – Responsibility – Issuance of notice of violation, collection of civil**
6 **penalty.** The ~~((department of public safety))~~ sheriff's office shall ~~((be responsible to))~~
7 issue a notice~~((s))~~ of infraction~~((s))~~ to a person~~((s))~~ following ~~((the second and all~~
8 ~~subsequent false alarms in any calendar month))~~ a violation of this chapter. The
9 ~~((department of public safety will))~~ sheriff's office shall notify the King County office of
10 finance of the charges, fees~~((r))~~ and penalties ~~((which))~~ that are to be collected. ~~((It shall be~~
11 ~~the responsibility of t))~~ The King County office of finance ((to)) shall collect charges, fees
12 and penalties not properly cancel~~((d))~~ed and discharged.

13 SECTION 9. Ordinance 5655, Section 6 and K.C.C. 12.32.070 are each hereby
14 amended as follows:

15 **Right to hearing.** Any person or business cited has a right to a hearing to contest
16 the validity of either the ~~((citation and/))~~ notice of infraction or the amount of the civil
17 penalty, or both. The hearing shall be held in the division of the ~~((D))~~district ~~((C))~~court
18 where the notice of violation was issued.

19 A. Such a person or business shall make a written request for a hearing on a
20 form provided by the ~~((King County department of public safety))~~ sheriff.

21 B. A request for a hearing must be filed with the ~~((D))~~district ~~((C))~~court within
22 ten days after the date when the citation was issued.

1 C. The ~~((D))~~district ~~((C))~~court at least ~~((10))~~ ten days after the request for a
2 hearing shall notify the person requesting the hearing, in writing: 1. of ~~((1+))~~ the hearing
3 date and time; ~~((and))~~ 2. that if the person or business desires to have the officer
4 responsible for the issuance of the civil infraction, a written request on a document
5 provided by the ~~((D))~~district ~~((C))~~court must be returned to the ~~((D))~~district ~~((C))~~court no
6 later than ~~((10))~~ days ~~((prior to))~~ before the hearing date; and 3. that in the absence of such
7 a request, the officer's notice of violation ~~((shall))~~ must be received in evidence.

8 D. A person or business ~~((shall have))~~ has until ~~((10))~~ ten days after the date of
9 the request for a hearing to cancel the hearing by making payment to the ~~((D))~~district
10 ~~((C))~~court in the amount of the civil infraction. If a hearing is cancel~~((d))~~ed more than ten
11 days after its request, then a ten-dollar cancellation fee must be paid to the ~~((D))~~district
12 ~~((C))~~court in addition to the amount of the civil infraction.

13 E. At the hearing, the ~~((King County department of public safety))~~ sheriff's
14 office ~~((may))~~ shall produce any relevant evidence to show that the issuance of the notice
15 of violation was proper.

16 F. At the hearing, the person or business having requested the ~~((same))~~ hearing
17 may produce any relevant evidence to show that the issuance of the notice of violation was
18 not proper.

19 G. At the conclusion of the hearing, the ~~((D))~~district ~~((C))~~court shall determine
20 whether the imposition of the civil penalty was proper and provide both parties with a copy
21 of its decision setting forth in writing the reasons for the determination reached. Should
22 the ~~((D))~~district ~~((C))~~court determine that the amount of the penalty was not proper, then

1 the court shall determine the proper amount and provide a copy of its decision to the
2 person or business requesting the hearing and the ((King County department of public
3 safety)) sheriff's office.

4 H. If the civil penalty is found proper, then the civil penalty together with court
5 costs and the expenses of the hearing shall be assessed as a civil penalty against the owner
6 of the premises.

7 I. If the civil penalty is not found to be proper, then the owner of the premises
8 shall bear no costs.

9 J. Nothing in this chapter shall be construed to prevent a court exercising
10 discretion in assessing penalties, costs or arranging time payments if justice so requires.


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SECTION 10. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

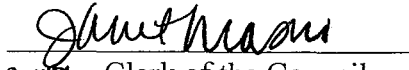
INTRODUCED AND READ for the first time this 8th day of March, 1999.

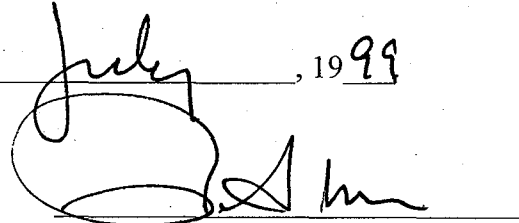
PASSED by a vote of 12 to 0 this 6th day of July, 1999.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chair

ATTEST:


Deputy Clerk of the Council

APPROVED this 12 day of July, 1999

King County Executive

Attachments: None