

CITY OF RENTON, WASHINGTON

ORDINANCE NO. 5886

AN ORDINANCE OF THE CITY OF RENTON, WASHINGTON, REPEALING AND REPLACING CHAPTER 6-3 OF THE RENTON MUNICIPAL CODE, AMENDING ALARM SYSTEM REGULATIONS, AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, excessive false alarms unduly burden the City of Renton Police Department's limited law enforcement resources; and

WHEREAS, the purpose of this ordinance is to establish reasonable expectations of alarm users, and alarm companies, and to ensure that alarm users are held responsible for their use of Alarm Systems; and

WHEREAS, excessive false alarms constitute a public nuisance; and

WHEREAS, establishing an alarm registration system helps the City of Renton distribute its limited emergency response resources in a way that maximizes the public benefit; and

WHEREAS, the Council deems it necessary to replace the current RMC Chapter 6-3 (Burglar Alarms) relating to false alarm regulations; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION I. Chapter 6-3 of the Renton Municipal Code is repealed in its entirety and replaced with the following language:

**CHAPTER 3
ALARM SYSTEM REGULATIONS**

SECTION:

- 6-3-1: Purpose
- 6-3-2: Definitions
- 6-3-3: Authority; Funds
- 6-3-4: Alarm Registration Required

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- 6-3-5: Duties Of An Alarm User
- 6-3-6: Duties Of An Alarm Company
- 6-3-7: Violations
- 6-3-8: Suspension Of Response
- 6-3-9: Reinstatement Of Response
- 6-3-10: Appeals Process

6-3-1 PURPOSE:

It is the intent of this chapter to reduce the number of false alarms occurring within the City and to minimize the resulting waste of City resources by providing for corrective administrative action to hold alarm users and alarm companies responsible for proper use of Alarm Systems. False Alarms are an unnecessary burden on the City's resources, and are hereby declared to be a public nuisance, subject to abatement pursuant to RMC 1-3. The City reserves its right to punish Alarm Users who violate this chapter, as well as take remedial action under the City's code enforcement authority in order to minimize the burden created by False Alarms. Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response by the Renton Police Department. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm registration, the alarm user acknowledges that the Renton Police Department's response may be influenced by several factors, including: the availability of police officers, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, and prior response history.

6-3-2 DEFINITIONS:

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

A. Alarm Company: Person or company, firm, and/or a company engaged in the selling, leasing, installing, servicing or monitoring Alarm Systems.

B. Alarm Dispatch Request: A notification to a law enforcement agency that an alarm, either manual or automatic, has been activated at a particular alarm site, which results in a request for law enforcement action.

C. Alarm Registration: A registration of an alarm user notifying the City of the operation of an Alarm System.

D. Alarm Signal: A detectable signal, audible or visual, generated by an Alarm System, which is intended to elicit a response from the City.

E. Alarm System: Any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry, or other illegal activity requiring immediate attention, and to which law enforcement is requested to respond by an alarm company, but does not include motor vehicle or boat alarms, fire alarms, or alarms designated to elicit a medical response.

F. Alarm User: Any person, corporation, partnership, proprietorship, government, or educational entity or any other entity owning, leasing, possessing, or operating an Alarm System, or on whose premises an Alarm System is maintained for the protection of such premises.

G. City: The City of Renton, Washington, or its designee.

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H. False Alarm: An alarm signal that triggers a response by the City and, in responding, the City discovers no evidence of a crime being committed or attempted on the property served by the Alarm System.

I. Registration Year: A twelve (12)-month period beginning on January 1st of each year which the alarm registration is issued.

J. Runaway Alarm: An Alarm System that produces repeated alarm signals that do not appear to be caused by separate human action or that produces three (3) separate false alarm signals within a twenty-four (24) hour period.

K. Violator: Any alarm user that violates any provisions under this chapter including but not limited to any alarm user upon whose property a false alarm occurs.

6-3-3 AUTHORITY:

A. Responsibility for administration of this chapter is vested with the Chief of Police, or designee.

B. The Chief of Police has the authority to contract with a third party to assist with the enforcement and administration of the City's rights and responsibilities delineated by this chapter.

6-3-4 ALARM REGISTRATION REQUIRED:

A. Application: No person shall own, lease or operate an Alarm System without first registering such Alarm System with the City. A separate alarm registration is required for each alarm site. A fee is required for the initial alarm registration. No fee will be charged for annual renewals. Each alarm registration

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shall be assigned a unique number, and the alarm user or Alarm Company may be required to provide the registration number to facilitate law enforcement dispatch and enforcement of this chapter. Each alarm user has a duty to obtain an application from the City and register on a form provided by the City or its designee within thirty (30) days of activating the Alarm System, or for existing Alarm Systems, within thirty (30) days of the ordinance establishing this registration requirement. Each alarm registration shall expire on December 31 of the year issued and must be renewed annually by submitting an updated application to the City. Failure to renew registration prior to expiration is a violation of this Chapter subject to an unregistered alarm fee. An alarm registration cannot be transferred to another person or alarm site.

B. Transfer of Possession: When the occupancy or possession of the premises at which an Alarm System is maintained is transferred, the alarm user obtaining possession of the property shall register the Alarm System with the City within thirty (30) days of obtaining possession of the property. Alarm registrations are not transferable.

C. Reporting Updated Information: Whenever any information provided on the alarm registration changes, the alarm user shall provide correct information to the City within thirty (30) days of the change.

D. Failure to Register, Renew, or Update Information: Failure to initially obtain or renew a registration under this chapter or report any updated

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information as required by this Section shall result in a Unregistered Alarm System Fee as set forth in the City of Renton Fee Schedule.

6-3-5 DUTIES OF AN ALARM USER:

- A. Comply with all applicable provisions of this chapter;
- B. Maintain the premises and the Alarm System in a manner that will reduce or eliminate false alarms;
- C. Provide the registration number to the alarm company to facilitate dispatch;
- D. Refrain from manually activating an alarm for any reason other than the occurrence of an event that the Alarm System was intended to report. An alarm user must not manually initiate an alarm signal unless the user reasonably believes a crime or attempted crime is occurring;
- E. Register each Alarm System and renew such registration(s) annually;
- F. Update the City with any changes to information contained on an alarm registration within thirty (30) days of the change.
- G. Failure of alarm user to comply with the duties of this chapter may result in a fee as set forth in the City of Renton Fee Schedule.

6-3-6 DUTIES OF AN ALARM COMPANY:

- A. Any person or entity engaged in the alarm business within the City should comply with the following:

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1. Attempt to verify the alarm by calling the alarm site and/or alarm user by telephone, to determine whether an alarm is valid before requesting dispatch.
2. Communicate any available information about the location of the alarm.
3. Communicate a cancellation to the law enforcement communications center as soon as possible following a determination that a response is unnecessary.

B. Prior to activation of the Alarm System, the alarm company should provide to each alarm user:

1. Instructions explaining the proper operation of the Alarm System; and
2. Written information of how to obtain service from the alarm company

for the Alarm System.

6-3-7 VIOLATIONS:

A. Any violation of this chapter is hereby declared to be a public nuisance, subject to abatement and/or punishment in accordance with RMC 1-3. In addition to any remedies or penalties prescribed by RMC 1-3, fees shall be charged:

1. For a false alarm to occur on an alarm user's property;
2. To install, maintain, or use an audible Alarm System which sounds continually for more than fifteen (15) minutes;
3. To install, maintain, or use an automatic dial protection device that reports, or causes to be reported, any recorded message to the Renton Police Department or 9-1-1;

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4. To fail to timely register an Alarm System;

5. To fail to provide updated information to the City as described in this chapter; or

6. To fail to comply with any other requirement of this chapter.

B. Any violation of this chapter shall result in a fee, as determined by the City of Renton Fee Schedule.

6-3-10 APPEALS:

A. If the City assesses a fee, suspends, denies, or fails to renew the alarm registration, the City or its designee shall send written notice of the action and a statement of the right to appeal to the Alarm User.

B. Any Alarm User may appeal an assessment of a fee, a suspension of an alarm registration, or other enforcement action to the City by mailing the appeal to the address as shown on the notice within fifteen (15) days after receipt of the notice. The appeal must set forth in writing the reasons for the appeal and any evidence that should be considered. The failure to give notice of appeal within fifteen (15) days shall constitute a waiver of the right to contest the violation(s) or enforcement action(s).

C. If a hearing is requested, written notice of the time, place, and manner of the hearing shall be mailed to the address of the Alarm User as contained in the alarm registration, at least fifteen (15) days prior to the date of the hearing, which shall be held no more than forty-five (45) days after the request for hearing is received.

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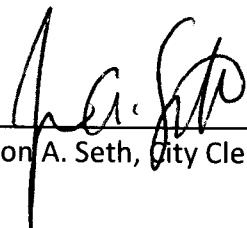
D. The appeal shall be administered by the Chief of Police or his/her designee (Hearing Officer). The Alarm User and a representative of the Police Department shall have the right to present written and/or oral evidence. If the Hearing Officer determines, after the presentation of evidence, that any violations have occurred, the Hearing Officer shall issue written findings and record the findings in the alarm user's record within thirty (30) days, and the fees shall be ordered to be paid. If the Hearing Officer determines that no violation has been committed, the fee, if already paid, shall be refunded within thirty (30) days, and no finding of violation may be entered on the alarm user's record.

E. The appeal decision made by the Hearing Officer may be appealed to the King County Superior Court within thirty (30) calendar days from the date the decision is issued.

SECTION II. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court or competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION III. This ordinance shall be in full force and effect February 1, 2019, but no earlier than thirty (30) days after publication of a summary of this ordinance in the City's official newspaper. The summary shall consist of this ordinance's title.

PASSED BY THE CITY COUNCIL this 10th day of December, 2018.



Jason A. Seth, City Clerk


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APPROVED BY THE MAYOR this 10th day of December, 2018.



Denis Law, Mayor

Approved as to form:


Shane Moloney, City Attorney

Date of Publication: 12/14/2018 (summary)

ORD:2006:11/16/18:scr

