

ORDINANCE NO. 664

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 9A.13 of the Lakewood Municipal Code relative to Alarm Fees.

WHEREAS it is desirable to include all alarm fees within the City's fee schedule and not codified as part of the municipal code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN as follows:

Section 1: Section 9A.13.030 Lakewood Municipal Code (LMC) entitled, "Alarm User Permit Requirements and Fees," is amended to read as follows:

A. Alarm sites must be registered.

1. An alarm user shall not operate, or cause to be operated, any alarm system without a valid alarm permit. A separate alarm permit is required for each alarm site having a distinct address or business name. A separate alarm permit is required for each alarm site with the same address having a distinct and separate alarm system (i.e., detached shops or garages on residential property). The initial alarm permit fee must be collected by the Alarm Installation Company from the alarm user. The permit fee and application form shall be sent to the Alarm Administrator within ten days after any alarm system installation or alarm system takeover.

Owners of local alarm systems are required to adhere to this Chapter and are subject to all fees (including service fees), suspensions, penalties or other requirements that are applicable.

The fee for a new initial Alarm Permit shall be collected by the Alarm Installation Company and an Alarm Permit renewal fee shall be collected by the alarm Agreement Holding Company.

2. Alarm fees. The Permit, renewal, senior rate, physically disabled and other fees for an alarm permit or an alarm permit renewal shall be collected by the Alarm Agreement Holding Company and shall be as set forth in the City's fee schedule. ~~and are as follows:~~

- ~~—— a. Permit Fee. To be set by the City fee schedule~~
- ~~—— b. Renewal Fee. To be set by the City fee schedule~~
- ~~—— c. Senior Rate (60 or older) (residential only): To be set by the City fee schedule~~
- ~~—— d. Physically disabled. To be set by the City fee schedule~~

a. The applicant has failed to pay a false alarm fee or fine assessed under this Chapter 9.31.020 (2) of the Lakewood Municipal Code.

b. An alarm permit for the alarm site has been suspended, and the violation causing the suspension has not been corrected.

§7. Upon receipt of the permit application form and fee, the Alarm Administrator shall authorize response to the alarm user, which is valid for a one-year period. Renewal permits are valid for a one year period from the date of initial issuance.

98. Government entities, including but not necessarily limited to the City of Lakewood and Clover Park School Districts, must obtain permits for all alarm systems on its property under their control within the City of Lakewood, but are exempt from payment of permit and renewal fees.

Section 2: Section 9A.13.050 Lakewood Municipal Code (LMC) entitled, "Terms of Alarm User Permit; Transfer of Permit Prohibited," is amended to read as follows:

A. An alarm permit cannot be transferred to another person or alarm site. An alarm user shall inform the Alarm Administrator of any change in the information listed on the alarm permit application within five business days after such change. Exceptions may be made at the discretion of the Alarm Administrator when the transfer proposed is among members of the family of the original permit holder or successors in interest to the property for which the permit has been issued.

B. An alarm permit shall expire one year after the date of issue, and must be renewed annually by submitting a renewal application and a renewal fee to the Alarm Administrator. The Alarm Administrator shall notify the alarm Agreement Holding Company of the need to renew their registered customers sixty (60) days prior to the expiration of the registration on a monthly basis. It is the responsibility of the Alarm Agreement Holding Company to submit the updated information and renewal fees prior to the registration expiration date. (~~A \$100.00 fee shall be assessed to the Alarm Agreement Holding Company~~).

Section 3: Section 9A.13.090 Lakewood Municipal Code (LMC) entitled, "Business Permit of Alarm Installation and Monitoring Companies," is retitled "Alarm Installation and Monitoring Companies," and amended to read as follows:

A. Every Alarm Installation Company and every monitoring company shall obtain an alarm business permit from the police Alarm Administrator and pay an annual prorated fee of \$10.00 per each of their registered Alarm Users in the City of Lakewood up to a maximum payment of \$100.00. ~~Failure to pay the annual fee within 30 days after expiration of the permit will require the payment of a late fee of \$25.00.~~

~~DC.~~ The Alarm Administrator may waive a false alarm fee due to a history of false alarms that is identified as chronic equipment failure and the alarm user has documented work orders of attempts to repair the alarm system.

~~E.~~ The alarm installation company shall be assessed a fee of \$100.00 if the officer responding to the false alarm determines that an on-site employee of the alarm installation company directly caused the false alarm. Such false alarms are not included in the total number of false alarms for the alarm user.

~~F.~~ A fee of \$100.00 is hereby imposed against any monitoring company that fails to verify alarm system signals as required in this Chapter.

~~G.~~ A fee in the amount of \$200.00 is hereby imposed on an alarm installation company if the Alarm Administrator determines that an employee of the alarm installation company knowingly made a false statement concerning the inspection of an alarm site or the performance of an alarm system.

~~HD.~~ Notice of the right of appeal pursuant to this Chapter will be included with notice of any penalty.

Section 5: Section 9A.13.140 Lakewood Municipal Code (LMC) entitled, "Appeal of Determinations Regarding Alarm Permits and Fees," is amended to read as follows:

A. If the Alarm Administrator assesses a fee, suspends an alarm permit or denies the issuance, renewal or reinstatement of an alarm permit, the Alarm Administrator shall send written notice of the action and a statement of the right to appeal to the affected applicant or alarm user and the alarm installation company or monitoring company.

B. The alarm user, alarm installation company or monitoring company may appeal any action described in A. above to the designated administrator of the Police by setting forth in writing the reasons for the appeal and delivering the appeal to the police within 20 business days after receipt of notice of the action. Failure to deliver the appeal within that time period is a waiver of the right to appeal.

C. The procedure for an appeal of the Chief of Police is as follows:

1. The applicant, alarm user, alarm installation company or monitoring company may file a written request for appeal by paying an appeal fee of \$50.00 to the City of Lakewood and setting forth the reasons for the appeal. The appeal must be entitled "Appeal from Alarm Administrator's Action." Appeal fees will be returned to the appealing party if the appeal is successful. Upon good cause shown, the designated Administrator of the Police Chief may, in the exercise of discretion, waive the appeal fee for residential alarm users.

2. The designated administrator of the Police Chief shall conduct a recorded hearing within 30 days after receipt of the request for review and shall consider the evidence submitted by the appealing party and the Alarm Administrator. The designated administrator of the Police Chief

4. The alarm user successfully completes an on-line alarm awareness class and test or written test to waive the first alarm suspension.

B. On the second and every subsequent suspension of a permit, reinstatement may be obtained by compliance with subsection A. above and compliance with any of the following conditions that the Alarm Administrator may require:

1. Proof that an employee of the alarm installation company or monitoring company caused the false alarm.

2. Upgrade the alarm control panel to meet SIA Control Panel Standard CP-01.

3. A written statement from an independent inspector designated by the chief that the alarm system has been inspected and is in good working order.

4. Confirmation that all motion detectors are properly configured.

5. Confirmation that the alarm system requires two independent zones to trigger before transmitting an alarm signal to the monitoring company.

6. Confirmation that the alarm system requires two independent detectors to trigger before transmitting an alarm signal to the monitoring company.

7. Certification that the monitoring company will not make an alarm dispatch request unless the need for law enforcement response is confirmed by voice verification. This condition does not apply to residential property.

8. Certification that the monitoring company will not make an alarm dispatch request unless the need for law enforcement response is confirmed by a camera device. This condition does not apply to residential property.

9. Certification that the monitoring company will not make an alarm dispatch request unless the need for law enforcement is confirmed by a person at the alarm site.

10. The alarm user successfully completes an on-line alarm awareness class and test.

C. The Chief shall reinstate the police department's response to an alarm site as soon as is practicable after receiving notice of reinstatement from the Alarm Administrator.

Section 7: A new section 9A.13.210 entitled, "Construction," is created to read as follows:

All references to Alarm Fees in other sections of the Lakewood Municipal Code or in other legislation, shall be construed as referring to this chapter.