



CITY OF SACRAMENTO

6

DEPARTMENT OF LAW

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June 20, 1985

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Honorable City Council
Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: Proposed Amendments to Sacramento City
Code Chapter 29, Burglary and Robbery
Alarm System Ordinance

Summary

The City Attorney and Police Department are proposing that Chapter 29 be amended to provide for stricter enforcement of alarm system permit requirements. The proposed amendment is best accomplished by repealing and reenacting the chapter in toto because of numerous changes, deletions and additions.

Background Information

The present alarm ordinance has reduced the number of false alarms by roughly 20 percent since its enactment in 1980. However, the amount of time presently spent responding to false alarms is still intolerably high.

In 1984, primary units (first car plus officer) logged 4,257 hours in response to all alarm signals. Of these, 3,213 hours were false alarm responses. This high figure does not include time for secondary units routinely dispatched on burglary and robbery calls, nor the time of the Police Department dispatcher and alarm enforcement officer.

The proposed amended ordinance would further reduce this waste of resources by encouraging alarm companies and users to obtain the required permit before installing or maintaining an alarm system. This encouragement would be in the form of stricter enforcement. On a monthly basis, at least 200 alarm systems are operating without the required permit. This figure is probably much higher because operation without a permit only comes to the department's attention when the alarm system generates a signal. Eventual inclusion of these systems within the permit scheme is necessary to ensure continued reduction in false alarms.

The proposed amended ordinance also encourages alarm companies and users to disconnect any alarm system for which the corresponding permit has been suspended or revoked. Stricter enforcement will

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force alarm companies and users to work together to reduce the incidence of false alarms caused by chronic violators, whose permits are often revoked due to an excessive number of false alarms within a given period.

More than 95% of the penalties in the proposed new ordinance have been changed from misdemeanors to infractions. This is necessary to make enforcement of the proposed ordinance more practical; in the past the District Attorney has been unwilling to prosecute these violations as misdemeanors.

The proposed new Chapter 29 also increases permit transfer fees from two dollars (\$2.00) to five dollars (\$5.00). This is consistent with other license transfer fees currently imposed by Revenue and Collections. Other fees have been left to the discretion of the Chief of Police, who will consult with Revenues and Collections to make sure that these fees are consistent with other fees imposed by the City, and that the fees are only used to cover the costs of operating the alarm enforcement unit. A permit reinstatement fee has also been added to cover the cost of administering this aspect of the program.

Financial Data

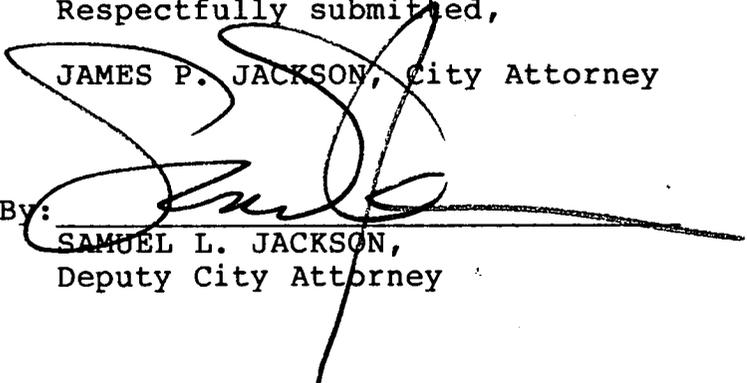
A higher registration rate and a reduction in wasted labor will result in a net increase in revenue. There is no projected increase in the cost of enforcing this ordinance.

Recommendation

It is recommended that the attached proposed ordinance be adopted in its entirety. We urge its adoption prior to the commencement of summer, which brings with it the highest incidence of false alarms.

Respectfully submitted,

JAMES P. JACKSON, City Attorney

By: 
SAMUEL L. JACKSON,
Deputy City Attorney

JM:SLJ/jmv

cc: James P. Jackson, City Attorney
Jerry Finney, Police Department
Frank Barbaro, Police Department

BURGLARY AND ROBBERY ALARM SYSTEMS

CHAPTER 29

BURGLARY AND ROBBERY ALARM SYSTEMS

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CHAPTER 29

BURGLARY AND ROBBERY ALARM SYSTEMS

Sec. 29.1 Short Title

This chapter shall be known as the Burglary and Robbery Alarm System Ordinance of the City of Sacramento.

Sec. 29.2 Purpose of Chapter

The purposes of this chapter are to regulate the use of alarm systems and to reduce the incidence of false alarms at business and residential structures. This will give members of the police department more time to combat real crime, thereby furthering the health, safety and welfare of the people of Sacramento.

Sec. 29.3 Definitions

For the purpose of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

(a) Alarm Company: The term "alarm company" shall be defined as any person, retail establishment, organization, answering service, central station or modified central station that installs, connects, or monitors burglary, robbery, or other alarm security systems for profit or other consideration. Such companies must be licensed in accordance with Business and Professions Code Section 7590 et seq.

(b) Alarm System: The phrase "alarm system" means any mechanical or electrical device designed to detect, or enable a person to notify others of an unauthorized intrusion onto certain premises or the existence of an emergency on such premises, and which emits a sound or transmits a signal or message when activated. The following devices shall not constitute alarm systems within the meaning of this subsection:

(1) Devices which do not register alarms that are audible, visible, or perceptible outside the protected premises;

(2) Devices which are not installed, operated or used for the purpose of reporting an emergency to the police department;

(3) Alarm devices affixed to motor vehicles; and

(4) Alarm devices installed on a temporary basis by the police department.

(c) Alarm User: The phrase "alarm user" means any person who receives continuing maintenance service under contract from an alarm company.

(d) Answering Service: The phrase "answering service" means a telephone answering service providing among its services the receiving on a continuous basis through trained employees of emergency signals from alarm systems, and the subsequent immediate relaying of said messages by live voice to the communication center of the police department.

(e) Automatic Dialing Device: The phrase "Automatic dialing device" means an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a pre-recorded voice message indicating the existence of the emergency situation that the alarm system is designed to detect.

(f) Central Station: The phrase "central station" means an office to which alarm systems are connected, where operators supervise the circuits, and where guards and/or servicemen are maintained continuously to investigate signals.

(g) Direct Line: The phrase "direct line" means a telephone line leading directly from a central station to the communication center of the police department, where said line is used only to report emergency signals on a person-to-person basis.

(h) Emergency: For purposes in this chapter, the word "emergency" means the commission or attempted commission of a robbery or burglary, or other imminent felony or felony in commission.

(i) Excessive False Alarms: An alarm system shall be deemed to actuate excessive false alarms when there are three false alarms within thirty (30) consecutive days, five false alarms within ninety (90) consecutive days, or six false alarms within 180 consecutive days. If a permittee presents sufficient proof that a particular false alarm was caused by an event or act specified in Section 29.3(i)(1) and (2) of this chapter, said false alarm shall not be counted against the permittee in determining whether the permittee's alarm system actuated excessive false alarms.

(j) False Alarm: the phrase "false alarm" means the activation of an alarm system which results in a response by the police department where an emergency does not exist. False alarms which fall into the following two categories shall not be counted against a permittee under Section 29.13(a)(2) for the purpose of suspension or revocation of an alarm system permit:

(1) False alarms which the permittee can demonstrate were proximately caused by hurricanes, tornadoes, earthquakes, or other violent acts of nature;

(2) False alarms which the permittee can demonstrate were actually caused by the act of some person other than:

(i) The permittee: For the purpose of this subsection the term permittee shall include officers, agents, employees, independent contractors, and any other persons subject to the direct or indirect control of the permittee;

(ii) The person who installed, connected, operated, maintained or serviced the alarm system;

(iii) The manufacturer of the alarm system, including the manufacturer's officers, agents, employees, independent contractors and any other persons subject to the direct or indirect control of the manufacturer.

(k) Felony: The word "felony", as defined in Cal. Penal Code §17, means a crime which is punishable by death or by imprisonment in the state prison.

(l) His: Use of the masculine gender in this chapter is intended to include the feminine gender as well.

(m) Interconnect: The phrase "interconnect" means to connect an alarm system to a telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.

(n) Modified Central Station: The phrase "modified central station" means an office to which alarm systems are connected, where operators supervise the circuits but where guards are not maintained to investigate alarm signals.

(o) Panic Alarm: The phrase "panic alarm" means any electrical or mechanical device designed to enable an individual, 24 hours a day, to instantly alert others of the existence of an emergency (as defined in §29.3(h)) by the sounding of an audible alarm or transmitting a signal or message when activated.

(p) Permittee: The word "permittee" means the person to whom an alarm system permit is issued.

(q) Person: The word "person" shall include natural persons without regard to number or gender, and any partnership, corporation, and any other type of legal entity.

(r) Primary Trunkline: The phrase "primary trunkline" means a telephone line leading directly into the communication center of the police department, including 911 emergency lines, for the purpose of handling emergency calls on a person-to-person basis, and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory issued by the telephone company, covering the service area within the police department's jurisdiction.

(s) Robbery Alarm System: The phrase "robbery alarm system" means any device or system designed to operate night or day to instantly transmit a silent signal to alert others of an actual armed robbery or holdup in progress.

(t) Special Trunkline: The phrase "special trunkline" means a telephone line leading into the communication center of the police

department and having the primary purpose of handling emergency signals or messages originating through a central station, modified central station, or answering service.

(u) Siren: The word "siren" means any audible noise similar to that which must be sounded by an authorized emergency vehicle under the conditions set forth in Section 21055 of the California Vehicle Code.

Sec. 29.4 Audible Alarm Systems

(a) Sirens Prohibited: No alarm system which emits the sound of a siren shall be installed or connected on or after the effective date of this chapter. This section shall not be construed to prohibit the use of certain electronic horns or howlers that may be approved by the police chief or his designated representative, provided that they do not emit a sound similar to a siren.

Any alarm system which emits the sound of a siren and which is installed and in operation prior to the effective date of this chapter shall be disconnected within thirty (30) days after the effective date of this chapter. Anyone who installs or permits the installation of, or uses such an alarm system, is guilty of an infraction as provided in Section 29.19(a).

(b) Automatic Shutoff Required: Any alarm system which is installed or connected on or after the date this chapter becomes effective and which, when activated, generates an audible sound on the exterior of the structure in which the system is maintained, shall have as part of the alarm system an automatic shutoff device which shuts off the alarm system within thirty (30) minutes of initial activation. Any alarm system which is installed and in operation prior to the date this chapter becomes effective and which, when activated, generates an audible sound on the exterior of the structure in which the system is maintained, shall have such an automatic shutoff device, as described above, installed and in operation within thirty (30) days after the effective date of this chapter.

(1) Any person who uses, or causes the installation of, an audible alarm system without the required shutoff is guilty of an infraction as provided in Section 29.19(a).

(2) Any alarm company who installs an audible alarm system without the required shutoff is guilty of an infraction as provided in Section 29.19(a).

Sec. 29.5 Automatic Dialing Devices Prohibited

(a) No automatic dialing device shall be interconnected to a primary trunkline of the police department after the effective date of this chapter. Any person who makes or permits the interconnection is guilty of an infraction as provided in Section 29.19(a).

(b) Persons owning or leasing an automatic dialing device may have the device interconnected to a telephone line transmitting directly to:

- (1) A central station;
- (2) A modified central station; or
- (3) An answering service.

(c) The relaying of messages to the police department by a modified central station or an answering service shall be over a special trunkline unless the special trunkline is unavailable. The relaying of messages by a central station may be over a direct line.

(d) No automatic dialing device may be interconnected to the telephone company operator, Sacramento City telephone operator, or 911 emergency center operator.

Sec. 29.6 Robbery and Panic Alarm Systems

(a) Robbery Alarm Systems: A robbery alarm system is to be activated only in the event of a robbery. Any other use is prohibited. Any violation of this section is a misdemeanor, punishable by a fine not exceeding five hundred dollars (\$500.00) or imprisonment in the county jail not exceeding six (6) months.

(b) Panic Alarm: The indiscriminate activation of a panic alarm by any person for reason other than signifying an emergency as defined in Section 29.3(h) is prohibited and punishable in accordance with Section 29.19(a) of this chapter.

Sec. 29.7 Permit Required; Confidentiality

(a) Applications, Renewals and Reapplications

(1) Applications, renewals and reapplications for alarm system permits shall be filed with the Chief of Police on such forms as he may prescribe. Such applications shall contain the name, address and telephone number of the person who will respond alarm, or render service or repairs to the alarm system to an during any hour of the day or night and such additional information as the Chief of Police shall reasonably deem necessary for the evaluation and proper processing of the permit application. Every alarm permit shall be kept on the premises where the alarm system is installed for use.

(2) Any person who operates or maintains more than one alarm system upon any business or residential property may, at his option, apply for a single permit for that particular property or for separate permits for each alarm system operated or maintained on said property; provided, however, that if such person chooses to secure a separate permit for each alarm system, a separate application shall be submitted for each such system and a separate

permit fee shall accompany each such application. If one permit is obtained for a number of alarm systems at one location, false alarms by any combination of those systems shall be counted towards the determination of excessive false alarms as provided in Section 29.3(i). Where multiple permits exist for multiple systems within one address, false alarms will be charged to the proper permit or alarm system.

(b) Confidentiality: The information furnished and secured pursuant to this chapter shall be confidential in character, shall not be subject to public inspection, and shall be kept so that the contents thereof shall not be disclosed except to persons charged with the administration of the chapter. It is hereby declared that the public interest served by not making the information public clearly outweighs the public interest served by disclosure of the information.

Sec. 29.8 Permit Required.

(a) Individual Users: No person shall cause an alarm system to be installed, connected, operated or maintained upon any property within the City of Sacramento of which such person is the owner or in possession, without first obtaining an alarm system permit. Said permit shall be issued in accordance with the provisions of this chapter. Any such person who causes an alarm system to be installed, connected, operated or maintained without first obtaining a permit as required by this section is guilty of an infraction as provided in Section 29.19(a).

(b) Alarm Companies; Installation or Connection of Alarm Systems: No alarm company shall install or connect an alarm system upon any property within the City of Sacramento without first performing one of the following acts, whichever is most feasible:

(1) Obtaining a copy of the alarm system permit from the alarm system user or the issuing authority;

(2) Obtaining a copy of the alarm permit fee receipt from the alarm system user or the issuing authority;

(3) Notifying the issuing authority by declaration under penalty of perjury that the permit application and the appropriate fees have been mailed or personally delivered to the issuing authority. The declaration under penalty of perjury shall be signed by an authorized agent of the alarm company; or

(4) Obtaining from the user or purchaser of the alarm system an executed declaration under penalty of perjury that said user or purchaser has previously mailed the permit application and the appropriate fee to the issuing authority. The declaration under penalty of perjury shall be witnessed by the signature of an authorized agent of the alarm company. This declaration shall also be personally delivered or mailed to the issuing authority by the alarm company.

Either of the declarations listed in subsections (3) and (4) of Section 29.8(b) shall be served or given to the issuing authority with-in seventy-two (72) hours of installing or connecting an alarm system.

An alarm company who installs or connects an alarm system without complying with a requirement in Subsections (1) through (4) of Section 29.8(b) is guilty of an infraction as provided in Section 29.19(a).

(c) Alarm Companies; Maintenance of Alarm Systems: No alarm company shall maintain an alarm system without first establishing that the user of that system has a valid permit. Any alarm company who maintains an alarm system without establishing the validity of the alarm system permit is guilty of an infraction as provided in Section 29.19(a). Where the servicing alarm company has been notified of a nonrenewal, suspension or revocation of a permit by the issuing authority, said company shall discontinue servicing that alarm system within fifteen (15) days of notification.

Sec. 29.9 Fees; Receipt

(a) Every initial application, renewal and reapplication for an alarm system permit shall be accompanied by a non-refundable permit fee in an amount to be determined by the issuing authority. The fee is established to defray costs of processing applications and permits, and shall be in addition to any other permit fee imposed by the Sacramento City Code.

(b) Every applicant shall be given a receipt for the permit fee at the time such fee is paid. The receipt shall serve as a temporary alarm system permit for a period not to exceed forty-five (45) days from the date when the fee was paid, and shall be of no force or effect upon the expiration of the 45-day period, or upon the issuance of the alarm system permit, whichever event occurs first.

Sec. 29.10 Issuance of Permits

(a) By Whom Issued: The Chief of Police or his designated representative may issue alarm system permits after the requirements of this chapter have been met.

(b) To Whom Issued: Alarm system permits may be issued to the person who is the owner of, or in possession of, the property which the alarm system is designed to protect.

Sec. 29.11 Expiration of Permit; Notice to Alarm Companies

(a) Length of Permit Period: Each alarm system permit that is issued shall expire three (3) years after the date of issuance or renewal, unless otherwise suspended or revoked at an earlier time. The date of issuance or renewal shall be the date shown on the alarm system permit issued by the Chief of Police. Upon expiration of an alarm system permit, a new permit shall be secured in the manner

specified by Sections 29.7, 29.9(b) and 29.10 before an alarm system may continue in use.

(b) Notice to Alarm Companies: Notice of nonrenewal, suspension and revocation of alarm system permits shall be served on the servicing alarm company within seventy-two (72) hours of the expiration, suspension or revocation of the permit.

Sec. 29.12 Transferability of Permit

Any alarm system permit issued in accordance with the provisions of this chapter shall be valid only as to the permittee named on the permit, and only for the particular alarm system or alarm systems specified on the permit. No alarm system permit shall in any manner be transferred or assigned without the written consent of the Chief of Police. Any request to transfer an alarm system permit shall be in writing and accompanied by a reasonable non-refundable fee in an amount to be determined by the issuing authority. Transfer of an alarm system permit shall in no way affect the date of expiration of said permit. False alarms previously charged to the transferor shall not be charged to the transferee; provided, however, that the Chief of Police may deny any request to transfer an alarm system permit where, after investigation, it appears that the transfer is requested for the purpose of allowing the transferor to evade responsibility for prior false alarms.

Sec. 29.13 Suspension and Revocation of Permit

(a) Grounds for Suspension: The following shall constitute the grounds for suspension or revocation of an alarm system permit:

(1) The violation of any provision of this chapter;

(2) Where an alarm system actuated excessive false alarms as defined in Section 29.3(i), or as provided in Section 29.7(a)(2).

(3) The violation of any condition imposed by the Chief of Police upon an alarm system permit issued in accordance with Section 29.15(c) of this chapter.

(b) Length of Suspension for Excessive False Alarms; Restoration: If the Chief of Police or his representative determines that an alarm system has generated excessive false alarms, the permittee responsible for such system shall have his permit suspended for up to fifteen (15) days. On the day following the expiration of the suspension period, the permit shall be restored upon payment of a reasonable restoration fee in an amount to be determined by the issuing authority.

(c) Length of Suspension for Other Grounds; Restoration: Where a permit is subject to suspension for grounds other than those specified in 29.13(b), the Chief of Police or his designated representative may impose a suspension period not to exceed ninety (90) days. On the day following the expiration of the suspension period, the permit shall be

restored upon payment of a reasonable restoration fee, in an amount to be determined by the issuing authority.

(d) If the Chief of Police, or his representative, determines that an alarm system has generated excessive false alarms, and if he further finds that the permittee responsible for such alarm system has had his permit suspended during the twelve months prior to the date on which the hearing is held, the permittee shall have his permit revoked.

Sec. 29.14 Suspension and Revocation Hearings

(a) No alarm system permit shall be suspended or revoked under Section 29.13 until a hearing shall have been held by the Chief of Police or his representative. Written notice of the time and place of such hearing shall be served on the permittee, and upon the person who renders service or repairs to the permittee's alarm system as designated on the permittee's application. Such notice shall be given at least ten (10) days prior to the date set for the hearing. The notice of hearing shall include the date, time, and location of the hearing, and a brief statement of the grounds upon which the proposed suspension or revocation will be based. Notice may be given either by personal delivery thereof to the persons to be notified or by depositing the same in the U.S. mail in a sealed envelope, postage prepaid, addressed to such persons to be notified at the last address known to the issuing authority. Upon a showing of proof of service by mail, the failure of any person to receive such notice shall not affect the validity of any proceedings taken under this chapter.

Sec. 29.15 Reapplication; Background Investigation; Reissuance

Any person whose alarm system permit(s) is (are) revoked may reapply for a new alarm system permit, but only in accordance with the procedures set forth in this section.

(a) Reapplications: All reapplications shall be submitted directly to the Chief of Police, or to the person whom the Chief of Police designates as the alarm officer, on such forms as may be prescribed.

(b) Investigation: The Chief of Police, or his designated representative, shall investigate each reapplication to determine whether the grounds for the prior revocation have been eliminated, or are not likely to occur again in the future. Such investigation may include, but shall not be limited to, an on-sight investigation of the alarm system; an examination of the alarm system and any specifications, diagrams, or descriptions pertaining thereto; and a prescribed test period of reasonable duration.

(c) Reissuance of Permit: If, after investigation and in his sole discretion, the Chief of Police or his designated representative determines that the grounds for the prior revocation have been eliminated, or that such grounds are not likely to occur again in the future, an alarm system permit shall be issued to the person who is

the owner or in possession of the property which the alarm system is sought to protect. The Chief of Police or his designated representative may impose such conditions on the alarm system permit as he deems reasonably necessary to insure that the permittee will comply with the provisions of this chapter.

Sec. 29.16 Alarm Use After Suspension or Revocation of Permit

(a) Individual Users

(1) A permittee who allows his alarm system to remain connected after his alarm system permit has been suspended or revoked is guilty of an infraction as provided in Section 29.18(a).

(2) A permittee who continues to send, or permits the sending of, a silent alarm emergency signal to the police department, after the permittee's alarm system permit has been suspended or revoked, is guilty of an infraction punishable by a fine not exceeding \$250.00 for the first infraction and not exceeding \$500.00 for each infraction thereafter within a period of one year.

(b) Alarm Companies

(1) Any alarm company who fails to disconnect an alarm user's alarm system within fifteen (15) days after having been notified in writing that the user's alarm system permit has been suspended or revoked is guilty of an infraction as provided in Section 29.18(a).

(2) Any alarm company who continues to send, or permits the sending of, an alarm user's silent alarm emergency signal to the police department, after having been notified in writing that the user's alarm system permit has been suspended or revoked, is guilty of an infraction punishable by a fine not exceeding \$250.00 for the first infraction and not exceeding \$500.00 for each infraction thereafter within a period of one year of such prior infraction.

Sec. 29.17 Notices

Any notice or other written proof required by this chapter to be served on or given to any person shall be in writing and shall be duly served and given when personally delivered to the person to whom it is directed or when deposited in the United States mail, first class, postage prepaid, addressed to the last known address of the person to whom it is directed.

Sec. 29.18 Appeals

(a) Any applicant or permit holder aggrieved by the decision of the Chief of Police or his designated representative in denying, suspending or revoking an alarm system permit may appeal such decision to the City Council.

(1) Notice of appeal complying with the provisions of Article XIX of Chapter 2 of the Sacramento City Code shall be filed in writing with the City Clerk not later than fifteen (15) days after the imposition of suspension or notice thereof, whichever is earlier. During the pendency of said appeal to the Council, the permit shall remain in effect.

(2) The City Council shall either conduct a hearing on said appeal or refer said appeal to a hearing officer who shall conduct the hearing pursuant to the provisions of Article XIX of Chapter 2 of the Sacramento City Code within thirty (30) days of the filing of said appeal.

Sec. 29.19 Violation of Chapter

(a) Penalties: Except where punishment is specifically provided elsewhere in this Code, any person who violates any provision of this chapter is guilty of an infraction punishable by (1) a fine not exceeding Fifty Dollars (\$50.00) for a first violation; (2) a fine not exceeding One Hundred Dollars (\$100.00) for a second violation of any section of the ordinance within one year of any prior violation; and (3) a fine not exceeding Two Hundred Fifty Dollars (\$250.00) for the third and each successive violation of any section of this chapter within one year of any prior violation.

(b) Enforcement: The conviction or punishment of any person for violating any provision of this chapter or for failing to secure a permit as required by this chapter shall not relieve such person from paying the permit fee due and unpaid at the time of such conviction or punishment, nor shall payment of any permit fee bar a criminal prosecution for a violation of any provision of this chapter. All remedies shall be cumulative and the use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter. The amount of any permit fee due and owing shall be deemed a debt to the City of Sacramento. An action may be commenced in the name of the City of Sacramento in any court of competent jurisdiction for the amount of any delinquent permit fee. All permit fees shall be deemed delinquent thirty (30) days from the date they are due and payable.

Sec. 29.20 Severability

The sections, paragraphs, sentences, clauses and phrases of this chapter are, and are intended to be, severable, and if any phrase, clause, sentence, paragraph or section of this chapter shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this chapter as provided in Section 1.5 of Chapter 1 of the Sacramento City Code.

Sec. 29.21 Applicability to Existing Alarm Systems

The provisions of this chapter shall apply to all alarm systems which were installed, connected, operated or maintained on or prior to the date on which this chapter becomes effective.

BURGLARY AND ROBBERY ALARM SYSTEMS

CHAPTER 29

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CHAPTER 29

BURGLARY AND ROBBERY ALARM SYSTEMS

Sec. 29.1 Short Title

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Sec. 29.2 Purpose of Chapter

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Sec. ~~29.1~~ 29.3 Definitions

For the purpose of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

(a) Alarm Company: The term "alarm company" shall be defined as any person, retail establishment, organization, answering service, central station or modified central station that installs, connects, or monitors burglary, robbery, or other alarm security systems for profit or other consideration. Such companies must be licensed in accordance with Business and Professions Code Section 7590 et seq.

~~(a)~~ (b) Alarm System: The phrase "alarm system" means any mechanical or electrical device designed to detect, or enable a person to notify others of, an unauthorized intrusion onto certain premises or the existence of an emergency on such premises, and which emits a

transmits a signal or message when activated. The following devices shall not constitute alarm systems within the meaning of this subsection:

- (1) Devices which do not register alarms that are audible, visible, or perceptible outside the protected premises;
- (2) Devices which are not installed, operated or used for the purpose of reporting an emergency to the police department;
- (3) Alarm devices affixed to motor vehicles; and
- (4) Alarm devices installed on a temporary basis by the police department.

(c) Alarm User: The phrase "alarm user" means any person who receives continuing maintenance service under contract from an alarm company.

~~(b)~~ (d) Answering Service: The phrase "answering service" means a telephone answering service providing among its services the receiving on a continuous basis through trained employees of emergency signals from alarm systems, and the subsequent immediate relaying of said messages by live voice to the communication center of the police department.

~~(c)~~ (e) Automatic Dialing Device: The phrase "Automatic dialing device" means an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a pre-recorded voice message indicating the existence of the emergency situation that the alarm system is designed to detect.

~~(d)~~ (f) Central Station: The phrase "central station" means an office to which alarm systems are connected, where operators supervise the circuits, and where guards and/or servicemen are maintained continuously to investigate signals.

~~(e)~~ (g) Direct Line: The phrase "direct line" means a telephone line leading directly from a central station to the communication center of the police department, where said line is used only to report emergency signals on a person-to-person basis.

~~(f)~~ (h) Emergency: For purposes in this chapter, the word "emergency" means the commission or attempted commission of a robbery or burglary, or other imminent felony or felony in commission.

(i) Excessive False Alarms: An alarm system shall be deemed to actuate excessive false alarms when there are three false alarms within thirty (30) consecutive days, five false alarms within ninety (90) consecutive days, or six false alarms within 180 consecutive days. If a permittee presents sufficient proof that a particular false alarm was caused by an event or act specified in Section 29.3(i)(1) and (2) of this chapter, said false alarm shall not be counted against the permittee in determining whether the permittee's alarm system actuated excessive false alarms.

~~(g)~~ (j) False Alarm: the phrase "false alarm" means the activation of an alarm system which results in a response by the police department where an emergency does not exist. False alarms which fall into the following two categories shall not be counted against a permittee under Section ~~29.9(b)(2)~~ 29.13(a)(2) for the purpose of suspension or revocation of an alarm system permit:

(1) False alarms which the permittee can demonstrate, ~~in accordance with the provisions of Section 29.9(b)(2) of this chapter~~ were proximately caused by hurricanes, tornadoes, earthquakes, or other violent acts of nature;

(2) False alarms which the permittee can demonstrate, ~~in accordance with the provisions of Section 29.9(b)(2) of this~~

chapter were actually caused by the act of some person other than:

(i) The permittee: For the purpose of this subsection the term permittee shall include officers, agents, employees, independent contractors, and any other persons subject to the direct or indirect control of the permittee;

(ii) The person who installed, connected, operated, maintained or serviced the alarm system;

(iii) The manufacturer of the alarm system, including the manufacturer's officers, agents, employees, independent contractors and any other persons subject to the direct or indirect control of the manufacturer.

(k) Felony: The word "felony", as defined in Cal. Penal Code §17, means a crime which is punishable by death or by imprisonment in the state prison.

(l) His: Use of the masculine gender in this chapter is intended to include the feminine gender as well.

(n) Interconnect: The phrase "interconnect" means to connect an alarm system to a telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.

(n) Modified Central Station: The phrase "modified central station" means an office to which alarm systems are connected, where operators supervise the circuits but where guards are not maintained to investigate alarm signals.

(o) Panic Alarm: The phrase "panic alarm" means any electrical or mechanical device designed to enable an individual, 24 hours a day,

to instantly alert others of the existence of an emergency (as defined in §29.3(h)) by the sounding of an audible alarm or transmitting a signal or message when activated.

~~(j)~~ (p) Permittee: The word "permittee" means the person to whom an alarm system permit is issued.

~~(k)~~ (q) Person: the word "person" shall include natural persons without regard to number or gender, and any partnership, corporation, and any other type of legal entity.

~~(l)~~ (r) Primary Trunkline: The phrase "primary trunkline" means a telephone line leading directly into the communication center of the police department, including 911 emergency lines, for the purpose of handling emergency calls on a person-to-person basis, and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory issued by the telephone company, covering the service area within the police department's jurisdiction.

(s) Robbery Alarm System: The phrase "robbery alarm system" means any device or system designed to operate night or day to instantly transmit a silent signal to alert others of an actual armed robbery or holdup in progress.

~~(n)~~ (t) Special Trunkline: The phrase "special trunkline" means a telephone line leading into the communication center of the police department and having the primary purpose of handling emergency signals or messages originating through a central station, modified central station, or answering service.

~~(m)~~ (u) Siren: The word "siren" means any audible noise similar to that which must be sounded by an authorized emergency vehicle under the conditions set forth in Section 21055 of the California Vehicle Code.

~~Sec. 29.11 Regulations, Requirements and Duties.~~

Sec. 29.4 Audible Alarm Systems

(a) Alarm Systems Requirements: Sirens Prohibited: No alarm system which emits the sound of a siren shall be installed or connected on or after the ~~date this chapter becomes effective which emits the sound of a siren.~~ effective date of this chapter. This section shall not be construed to prohibit the use of certain electronic horns or howlers that may be approved by the police chief or his designated representative, provided that they do not emit a sound similar to a siren.

Any alarm system which emits the sound of a siren and which is installed and in operation prior to the ~~date this chapter becomes effective,~~ shall have that part of the system which emits the sound of a siren ~~disconnected within one year from the date this chapter becomes effective.~~ effective date of this chapter shall be disconnected within thirty (30) days after the effective date of this chapter. Anyone who installs or permits the installation of, or uses such an alarm system, is guilty of an infraction as provided in Section 29.19(a).

(b) Automatic Shutoff Required: Any alarm system which is installed or connected on or after the date this chapter becomes effective and which, when activated, generates an audible sound on the premises, exterior of the structure in which the system is maintained, shall have as part of the alarm system an automatic shutoff ~~that will deactivate the audible portion of the system within 30 minutes after it is first activated.~~ device which shuts off the alarm system within thirty (30) minutes of initial activation. Any alarm system which is installed and in operation prior to the date this chapter becomes

effective and which, when activated, generates an audible sound on the premises, exterior of the structure in which the system is maintained, shall have such an automatic shutoff device, as described above, installed and in operation within ~~two years after the date this chapter becomes effective~~ thirty (30) days after the effective date of this chapter.

(1) Any person who uses, or causes the installation of, an audible alarm system without the required shutoff is guilty of an infraction as provided in Section 29.19(a).

(2) Any alarm company who installs an audible alarm system without the required shutoff is guilty of an infraction as provided in Section 29.19(a).

~~(c) Display of Alarm System Permit: Every alarm system permit shall be kept on the premises where the alarm system is located.~~

~~Sec. 29.11(d) Automatic Dialing Device Regulations:~~
~~Sec. 29.5 Automatic Dialing Devices Prohibited~~

~~(1) (a) No automatic dialing device shall be interconnected to a primary trunkline of the police department after the effective date of this chapter. Any person who makes or permits the interconnection is guilty of an infraction as provided in Section 29.19(a).~~

~~(2) Within 90 days after the effective date of this chapter, all automatic dialing devices interconnected to a primary trunkline shall be disconnected therefrom. the owner or lessee of such device shall be responsible for having the device disconnected within the 90-day time period.~~

~~(3) (b) Persons owning or leasing an automatic dialing device may have the device interconnected to a telephone line transmitting directly to:~~

- ~~(i)~~ (1) A central station;
- ~~(ii)~~ (2) A modified central station; or
- ~~(iii)~~ (3) An answering service.

~~(4)~~ (c) The relaying of messages to the police department by a modified central station or an answering service shall be over a special trunkline unless the special trunkline is unavailable. The relaying of messages by a central station may be over a direct line.

~~(5)~~ (d) No automatic dialing device may be interconnected to the telephone company operator, Sacramento City telephone operator, or 911 emergency center operator.

Sec. 29.6 Robbery and Panic Alarm Systems

(a) Robbery Alarm Systems: A robbery alarm system is to be activated only in the event of a robbery. Any other use is prohibited. Any violation of this section is a misdemeanor, punishable by a fine not exceeding five hundred dollars (\$500.00) or imprisonment in the county jail not exceeding six (6) months.

(b) Panic Alarm: The indiscriminate activation of a panic alarm by any person for reason other than signifying an emergency as defined in Section 29.3(h) is prohibited and punishable in accordance with Section 29.19(a) of this chapter.

~~Sec. 29.3 Application for Permit.~~

~~Sec. 29.13 Confidentiality.~~

Sec. 29.7 Applications; Confidentiality

(a) Applications, Renewals and Reapplications

~~(a)~~ (1) All Applications, renewals and reapplications for alarm system permits shall be filed with the Chief of Police on such forms as he may prescribe. Such applications shall contain the name, address and telephone number of the person who will

respond to an alarm, or render service, or repairs to the alarm system during any hour of the day or night and such additional information as the Chief of Police shall reasonably deem necessary for the evaluation and proper processing of the permit application. Every alarm permit shall be kept on the premises where the alarm system is installed for use.

(b) (2) Any person who operates or maintains more than one alarm system upon any particular business or residential property may, at his option, apply for a single permit for that particular property or for separate permits for each alarm system operated or maintained on said property; provided, however, that if such person chooses to secure a separate permit for each alarm system, a separate application shall be submitted for each such system and a separate permit fee shall accompany each such application. If one permit is obtained for a number of alarm systems at one location, false alarms by any combination of those systems shall be counted towards the determination of excessive false alarms as provided in Section 29.3(i). Where multiple permits exist for multiple systems within one address, false alarms will be charged to the proper permit or alarm system.

(b) Confidentiality: The information furnished and secured pursuant to this chapter shall be confidential in character, shall not be subject to public inspection, and shall be kept so that the contents thereof shall not be ~~known~~ disclosed except to persons charged with the administration of the chapter. It is hereby declared that the public interest served by not making the information public clearly outweighs the public interest served by disclosure of the information.

Sec. 29.2 Permit Required.

~~No person shall install, connect, operate or maintain, or cause to be installed, connected, operated or maintained, an alarm system upon any property of which such person is in possession without first obtaining an alarm system permit therefor in accordance with the provisions of this chapter. Any such person who installs, connects, operates or maintains, or who causes to be installed, connected, operated or maintained an alarm system without first obtaining a permit as required by this section or who, after having a permit revoked or suspended, fails to disconnect an audible alarm or, in the case of a silent alarm, continues to relay emergency signals to the police department, shall be in violation of this chapter.~~

Sec. 29.8 Permit Required

(a) Individual Users: No person shall cause an alarm system to be installed, connected, operated or maintained upon any property within the City of Sacramento of which such person is the owner or in possession, without first obtaining an alarm system permit. Said permit shall be issued in accordance with the provisions of this chapter. Any such person who causes an alarm system to be installed, connected, operated or maintained without first obtaining a permit as required by this section is guilty of an infraction as provided in Section 29.19(a).

(b) Alarm Companies; Installation or Connection of Alarm Systems: No alarm company shall install or connect an alarm system upon any property within the City of Sacramento without first performing one of the following acts, whichever is most feasible:

(1) Obtaining a copy of the alarm system permit from the alarm system user or the issuing authority;

(2) Obtaining a copy of the alarm permit fee receipt from the alarm system user or the issuing authority;

(3) Notifying the issuing authority by declaration under penalty of perjury that the permit application and the appropriate fees have been mailed or personally delivered to the issuing authority. The declaration under penalty of perjury shall be signed by an authorized agent of the alarm company; or

(4) Obtaining from the user or purchaser of the alarm system an executed declaration under penalty of perjury that said user or purchaser has previously mailed the permit application and the appropriate fee to the issuing authority. The declaration under penalty of perjury shall be witnessed by the signature of an authorized agent of the alarm company. This declaration shall also be personally delivered or mailed to the issuing authority by the alarm company.

Either of the declarations listed in subsections (3) and (4) of Section 29.8(b) shall be served or given to the issuing authority within seventy-two (72) hours of installing or connecting an alarm system.

An alarm company who installs or connects an alarm system without complying with a requirement in Subsections (1) through (4) of Section 29.8(b) is guilty of an infraction as provided in Section 29.19(a).

(c) Alarm Companies; Maintenance of Alarm Systems: No alarm company shall maintain an alarm system without first establishing that the user of that system has a valid permit. Any alarm company who maintains an alarm system without establishing the validity of the alarm system permit is guilty of an infraction as provided in Section 29.19(a). Where the servicing alarm company has been notified of a nonrenewal, suspension or revocation of a permit by the issuing

authority, said company shall discontinue servicing that alarm system within fifteen (15) days of notification.

~~Sec. 29.4 Fees.~~

Sec. 29.9 Fees; Receipt.

(a) Every initial application, renewal and reapplication for an alarm system permit shall be accompanied by a non-refundable permit fee ~~in the sum established by resolution of the City Council.~~ an amount to be determined by the issuing authority. The fee is established to ~~cover part of the cost~~ defray costs of processing the applications and permits, and shall be in addition to any other permit fee imposed by the Sacramento City Code.

(b) Every applicant shall be given a receipt for ~~every aforesaid~~ the permit fee at the time such fee is paid. The receipt shall serve as a temporary alarm system permit for a period not to exceed forty-five (45) days from the date ~~on which said permit~~ when the fee was paid, and shall be of no force or effect ~~after the forty-five (45) day period expires, or after the alarm system permit is issued by the chief of police,~~ upon the expiration of the 45-day period, or upon the issuance of the alarm system permit, whichever event occurs first.

~~Sec. 29.5 Issuance of permit.~~

~~Alarm system permits shall be issued to the person who is in possession of the property which the alarm system is designed to protect.~~

Sec. 29.10 Issuance of Permits

(a) By Whom Issued: The Chief of Police or his designated representative may issue alarm system permits after the requirements of this chapter have been met.

(b) To Whom Issued: Alarm system permits may be issued to the

person who is the owner of, or in possession of, the property which the alarm system is designed to protect.

~~Sec. 29.6~~ Sec. 29.11 Expiration of Permit;
Notice to Alarm Companies.

(a) Length of Permit Period: Each alarm system permit that is issued shall expire three (3) years after the date of issuance or renewal, unless otherwise suspended or revoked at an earlier time. The date of issuance or renewal shall be the date shown on the alarm system permit issued by the Chief of Police. Upon expiration of an alarm system permit, a new permit shall be secured in the manner specified by Sections ~~29.3, 29.4(b), 29.5 and 29.7~~ of this chapter 29.7, 29.9(b) and 29.10 before an alarm system may continue in use.

(b) Notice to Alarm Companies: Notice of nonrenewal, suspension and revocation of alarm system permits shall be served on the servicing alarm company within seventy-two (72) hours of the expiration, suspension or revocation of the permit.

~~Sec. 29.7~~ Renewal Fees.

~~The fee for the renewal of an alarm system permit shall be established by resolution of the city council for each successive three year period.~~

~~Sec. 29.8~~ Sec. 29.12 Transferability of Permit

Any alarm system permit issued in accordance with the provisions of this chapter shall be valid only for as to the permittee named on the permit, and only for the particular alarm system or alarm systems specified on the permit. No alarm system permit shall in any manner be transferred or assigned without the written consent of the Chief of Police. Any request to transfer an alarm system permit shall be ~~made upon such form as the chief of police may prescribe and shall be~~

~~accompanied by a non-refundable fee of \$2.00.~~ in writing and accompanied by a reasonable non-refundable fee in an amount to be determined by the issuing authority. Transfer of an alarm system permit shall in no way affect the date of expiration of said permit. False alarms previously charged to the transferor shall not be charged to the ~~transferor;~~ transferee; provided, however, that the Chief of Police may deny any request to transfer an alarm system permit where, after reasonable investigation, it appears that the transfer is requested for the purpose of allowing the transferor to evade responsibility for prior false alarms.

~~Sec. 29.9~~ Sec. 29.13 Suspension and Revocation of Permit

~~(b)~~ (a) Grounds for Suspension: The following shall constitute the ~~exclusive~~ grounds for suspension or revocation of an alarm system permit:

(1) The violation of any of ~~the provisions~~ provision of this chapter;

(2) Where an alarm system ~~actuates~~ actuated excessive false alarms as defined in Section 29.3(i), or as provided in Section 29.7(a)(2).

~~An alarm system shall be deemed to actuate excessive false alarms where there are three false alarms within 30 consecutive days, five false alarms within 90 consecutive days or six false alarms within 180 consecutive days. If a permittee presents sufficient proof that a particular false alarm was caused by an event or act specified in section 29.1(g)(1) and (2) of this chapter, said false alarm shall not be counted against the permittee in determining whether the permittee's alarm system actuated excessive false alarms.~~

(3) The violation of any condition imposed by the Chief of Police upon an alarm system permit issued in accordance with Section ~~29.10~~ 29.15(c) of this chapter.

~~Sec. 29.9(b)(2)(i)~~

(b) Length of Suspension for Excessive False Alarms; Restoration:

If the Chief of Police or his representative determines that an alarm system has generated excessive false alarms, the permittee responsible for such system shall have his permit suspended for up to fifteen (15) days. ~~On the sixteenth day following such a suspension the suspended permit shall be restored by operation of law.~~ the expiration of the suspension period, the permit shall be restored upon payment of a reasonable restoration fee in an amount to be determined by the issuing authority.

(c) Length of Suspension for Other Grounds; Restoration: Where a permit is subject to suspension for grounds other than those specified in 29.13(b), the Chief of Police or his designated representative may impose a suspension period not to exceed ninety (90) days. On the day following the expiration of the suspension period, the permit shall be restored upon payment of a reasonable restoration fee, in an amount to be determined by the issuing authority.

~~Sec. 29.9(b)(2)ii)~~

(d) If the Chief of Police, or his representative, determines that an alarm system has generated excessive false alarms, and if he further finds that the permittee responsible for such alarm system has had his permit suspended during the twelve months prior to the date on which the hearing is held, the permittee shall have his permit revoked.

Sec. ~~29.9~~ 29.14 Suspension and Revocation of Permit Hearings

(a) Hearings. No alarm system permit shall be suspended or revoked under ~~this section~~ Section 29.13 until a hearing shall have been held by the Chief of Police or his representative. Written notice of the time and place of such hearing shall be served ~~upon~~ on the permittee, and ~~upon~~ on the person who renders service or repairs to the permittee's alarm system as designated on the permittee's application. Such notice shall be given at least ten (10) days prior to the date set for ~~such the~~ the hearing. ~~Such~~ The notice of hearing shall ~~contain a brief statement of the grounds to be relied upon for suspending or revoking such permits.~~ include the date, time, and location of the hearing, and a brief statement of the grounds upon which the proposed suspension or revocation will be based. Notice may be given either by personal delivery thereof to the persons to be notified or by depositing the same in the U.S. mail in a sealed envelope, postage prepaid, addressed to such persons to be notified at the ~~address shown on the permit application~~ last address known to the issuing authority. Upon a showing of proof of service by mail, the failure of any person to receive such notice shall not affect the validity of any proceedings taken under this chapter.

Sec. ~~29.10~~ 29.15 Reapplication; Reapplication After Revocation;
Background Investigation; Reissuance

Any person whose alarm system permit(s) is (are) revoked may reapply for a new alarm system permit, but only in accordance with the procedures set forth in this section.

(a) Reapplications: All reapplications shall be submitted directly to the Chief of Police, or to ~~that~~ the person whom the Chief

of Police designates as the alarm officer, on such forms as may be prescribed.

~~(b) Fees: Every reapplication for an alarm system permit shall be accompanied by a non-refundable permit fee in the sum of \$25.00. The fee is established to cover part of the cost of processing the reapplications and permits and shall be in addition to any other permit fee imposed by the Sacramento City Code.~~

~~(c)~~ (b) Investigation: The Chief of Police, or his designated representative, shall investigate each reapplication to determine whether the grounds for the prior revocation have been eliminated, or are not likely to occur again in the future. Such investigation may include, but shall not be limited to, an on-sight investigation of the alarm system; an examination of the alarm system and any specifications, diagrams, or descriptions pertaining thereto; and a prescribed test period of reasonable duration.

~~(d)~~ (c) Reissuance of Permit: If, after investigation and in his sole discretion, the Chief of Police or his designated representative determines that the grounds for the prior revocation have been eliminated, or that such grounds are not likely to occur again in the future, an alarm system permit shall be issued to the person who is the owner or in possession of the property which the alarm system is designed sought to protect. The Chief of Police or his designated representative may attach impose such conditions ~~to an~~ on the alarm system permit as he deems reasonably necessary to insure that the permittee will comply with the provisions of this chapter.

~~(e) Appeals: Any person whose reapplication for an alarm system permit is denied by the chief of police may appeal such denial to the city council, in accordance with the procedure set forth in section~~

~~29.9(c) of this chapter.~~

Sec. 29.16 Alarm Use After Suspension or Revocation of Permit

(a) Individual Users

(1) A permittee who allows his alarm system to remain connected after his alarm system permit has been suspended or revoked is guilty of an infraction as provided in Section 29.19(a).

(2) A permittee who continues to send, or permits the sending of, a silent alarm emergency signal to the police department, after the permittee's alarm system permit has been suspended or revoked, is guilty of an infraction punishable by a fine not exceeding \$250.00 for the first infraction and not exceeding \$500.00 for each infraction thereafter within a period of one year.

(b) Alarm Companies

(1) Any alarm company who fails to disconnect an alarm user's alarm system within fifteen (15) days after having been notified in writing that the user's alarm system permit has been suspended or revoked is guilty of an infraction as provided in Section 29.19(a).

(2) Any alarm company who continues to send, or permits the sending of, an alarm user's silent alarm emergency signal to the police department, after having been notified in writing that the user's alarm system permit has been suspended or revoked, is guilty of an infraction punishable by a fine not exceeding \$250.00 for the first infraction and not exceeding \$500.00 for each infraction thereafter within a period of one year of such prior infraction.

Sec. 29.17 Notices

Any notice or other written proof required by this chapter to be served on or given to any person shall be in writing and shall be duly served and given when personally delivered to the person to whom it is directed or when deposited in the United States mail, first class, postage prepaid, addressed to the last known address of the person to whom it is directed.

~~Sec. 29.9(c)~~ Sec. 29.18 Appeals

(a) Any applicant or permit holder aggrieved by the decision of the Chief of Police or his designated representative in denying, suspending or revoking an alarm system permit may appeal such decision to the City Council.

(1) Notice of appeal complying with the provisions of Article XIX of Chapter 2 of the Sacramento City Code shall be filed in writing with the City Clerk not later than ~~ten (10)~~ fifteen (15) days after ~~said suspension or revocation~~ the imposition of suspension or notice thereof, whichever is earlier. During the pendency of said appeal to the Council, the permit shall remain in effect.

(2) The City Council shall either conduct a hearing on said appeal or refer said appeal to a hearing officer who shall conduct the ~~haring~~ hearing pursuant to the provisions of Article XIX of Chapter 2 of the Sacramento City Code within thirty (30) days of the filing of said appeal.

~~Sec. 29.12~~ 29.19 Violation of Chapter

(a) Penalties: ~~Any person violating any of the provisions of this chapter shall be guilty of an infraction subject to the provi-~~

~~sions of Government Code §36900(b).~~ Except where punishment is specifically provided elsewhere in this Code, any person who violates any provision of this chapter is guilty of an infraction punishable by (1) a fine not exceeding Fifty Dollars (\$50.00) for a first violation; (2) a fine not exceeding One Hundred Dollars (\$100.00) for a second violation of any section of this chapter within one year of any prior violation; and (3) a fine not exceeding Two Hundred Fifty Dollars (\$250.00) for the third and each successive violation of any section of this chapter within one year of any prior violation.

(b) Enforcement: The conviction or punishment of any person for ~~violation of the provisions~~ violating any provision of this chapter or for failing to secure a permit as required by this chapter shall not relieve such person from paying the permit fee due and unpaid at the time of such conviction or punishment, nor shall payment of any permit fee ~~prevent~~ bar a criminal prosecution for a violation of any of the provisions provision of this chapter. All remedies shall be cumulative and the use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter. The amount of any permit fee due and owing shall be deemed a debt to the City of Sacramento. An action may be commenced in the name of the City of Sacramento in any court of competent jurisdiction for the amount of any delinquent permit fee. All permit fees shall be deemed delinquent thirty (30) days ~~after~~ from the date they are due and payable.

Sec. ~~29.12(c)~~ 29.20 Severability

The sections, paragraphs, sentences, clauses and phrases of this chapter are, and are intended to be, severable, and if any phrase, clause,

sentence, paragraph or section of this chapter shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and or sections this chapter as provided in Section 1.5 of Chapter 1 of the Sacramento City Code.

Sec. ~~29.14~~ 29.21 Applicability to Existing Alarm Systems

The provisions of this chapter shall apply to all alarm systems which were installed, connected, operated or maintained on or prior to the date on which this chapter becomes effective.