

SUMMARY: Amends Washoe County Code by adding provisions relating to alarm businesses, alarm systems and false alarms.

BILL NO. 788

ORDINANCE NO. 615

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING PROVISIONS RELATING TO ALARM BUSINESSES, ALARM SYSTEMS AND FALSE ALARMS.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. The Washoe County Code is hereby amended by adding thereto a new chapter to be designated as chapter 54 and to consist of the provisions set forth as sections 2 through 11 of this ordinance.

SECTION 2.

54.010 Definitions. Unless the context otherwise requires, the words and terms used in sections 54.015 to 54.055, inclusive, have the following meanings:

1. "Alarm business" means the business of selling, leasing, maintaining, servicing, installing, repairing, replacing or altering any alarm system in or upon any premises.

2. "Alarm system" means any mechanical or electronic device which is designed to be used alone or in conjunction with other equipment for:

(a) The detection of unauthorized entry for the purpose of alerting others to such an entry or attempted entry.

(b) The purpose of alerting others to an emergency. Such a system may emit sounds or transmit a signal or message to others when activated.

3. "Alarm user" means any individual, partnership, corporation, or other person who has any alarm system installed upon premises in their possession.

4. "Audible alarm" means a device for detecting and alerting others of an unauthorized entry, or for alerting others to an emergency, which generates an audible sound on the premises when activated.

5. "False alarm" means an alarm signal activated through inadvertence, negligence, equipment malfunction or any reason other than an unauthorized entry or bona fide emergency.

6. "Monitoring station" means any alarm business, telephone answering service, central station or other central facility which receives alarm signals and in turn notifies the appropriate responding agency or other person.

7. "Responding agency" means a law enforcement agency to whom the alarm signal is directly or indirectly transmitted, and includes the county sheriff's department.

8. "Responsible party" means the user or any person designated by the user to respond to the location of an alarm for the purposes of providing entry by a responding agency to the premises, resetting the alarm system or rendering it inoperative.

9. "Silent alarm" means a device for detecting unauthorized entry, or for alerting others to an emergency, which generates an alarm signal transmitted by telephone line, radio or other means to a monitoring station.

SECTION 3.

54.015 License required. It is unlawful for any individual, partnership, corporation, association or other person to operate an alarm business within the unincorporated areas of Washoe County without having first obtained a business license therefor as prescribed in chapter 25 of this code.

SECTION 4.

54.020 Siren alarms prohibited; shutoff required.

1. It is unlawful for any person to install or maintain any audible alarm which creates a sound similar to that of an emergency vehicle siren.

2. Every audible alarm system must be equipped with a timing device which automatically shuts off the alarm within 15 minutes after it has been activated.

SECTION 5.

54.025 Notification to sheriff, designation of responsible parties.

1. Every alarm user who has an audible alarm installed upon his premises shall provide to the county sheriff's office the names and telephone numbers of at least three persons designated as responsible parties to perform the duties set forth in subsection 8 of section 54.010 during any hour of the day or night that the audible alarm is activated.

2. Every alarm user who contracts with a monitoring station for the purpose of notifying the appropriate responding agency when an alarm is activated shall provide the monitoring station with the names and phone numbers of at least three persons designated as responsible parties to be notified to secure the premises or reset the alarm.

3. Every monitoring station shall maintain current listings, including names and telephone numbers, of those persons designated by alarm users as responsible parties.

SECTION 6.

54.030 Duty to respond to alarm locations. It is the duty of an alarm user, responsible party or his represen-

tative to respond to the location of an alarm system within a reasonable period of time after notification by an alarm company, monitoring station or responding agency. The person responding shall take whatever steps are necessary to allow entry of law enforcement personnel into the premises, secure the property from further intrusion, reset the alarm system, arrange for the repair of the alarm system or take other necessary action.

SECTION 7.

54.035 Recorded message prohibited. It is unlawful to use or cause to be used a voice simulated telephone device, attachment or recorder or any other device which automatically dials any telephone line of the county sheriff's office and then reproduces a prerecorded message to report any alarm. This prohibition shall not apply to handicapped or disabled persons who require the use of such devices in order to report an alarm.

SECTION 8.

54.040 Intentional false alarms prohibited, tests.
 1. It is unlawful to activate an alarm system in any manner which causes a responding agency to respond, except:
 (a) In the event of what is reasonably believed to be an unauthorized entry on the premises for the purpose of carrying out a robbery, burglary or any other felony or gross misdemeanor; or
 (b) For the purpose of conducting an authorized test of the alarm system.
 2. Prior to conducting a test of an alarm system, the person making the test must first alert the appropriate alarm company, monitoring station or, in the case of an audible alarm, the responding agency of the time and location of such test.

SECTION 9.

54.045 Excessive false alarms, penalty; falsifying repair orders unlawful.
 1. An alarm user is not to be subject to penalty for false alarms for a period of 30 days after the installation of a new alarm system if he produces proof of the date of installation.
 2. If more than two false alarms are received from the same location in any calendar month, the sheriff may give written notice to the alarm user that he will refuse to respond to any more alarms from that location for a period of up to 30 days after the date of notification unless, within 10 days of receipt of the notice, the user:
 (a) Provides evidence from a licensed alarm company that each false alarm was caused by an equipment malfunction which was not known to the user at the time of the false alarm, and

(b) Produces a valid repair order showing that the equipment has been repaired.

It is unlawful to falsify any repair order to show a malfunction in an alarm system if no malfunction actually existed.

3. If there are two or more months within a 12 month period in which there were two or more false alarms, whether or not due to equipment malfunction, the sheriff may notify the user that he will not respond to any more alarms from that location for a period of up to 30 days after the date of notification and may additionally impose a charge of \$50 to defer his costs of responding to prior false alarms.

4. If there are three or more months within a 12 month period in which there were two or more false alarms, whether or not due to equipment malfunction, the sheriff may notify the user that he will not respond to any more alarms from that location for a period of 60 days and may additionally impose a charge of \$100 to defer his costs of responding to prior false alarms.

5. The sheriff may refuse to respond to any alarms if a charge levied pursuant to subsection 3 or 4 has not been paid. Payment of said amounts does not obligate the sheriff to respond to any future alarms at said location, and the sheriff may determine whether or not to respond to future alarms at that location.

6. For purposes of this section, "false alarm" does not mean or include an alarm caused by severe storms, natural disasters, power outages, acts of God or other matters beyond the control of an alarm user, except that a recurring alarm problem which could have been prevented by a change or modification of equipment will be considered a matter within the control of an alarm user.

SECTION 10.

54.050 Chapter creates no duty to respond to audible or silent alarms. Nothing contained in chapter 54 of this code is intended to, nor shall, create a duty, obligate or otherwise require the sheriff or any other responding agency to respond to any alarm from any audible or silent alarm system.

SECTION 11.

54.055 Chapter establishes no relationship between sheriff and alarm users, responsible parties or third persons. Nothing contained in chapter 54 of this code is intended to, nor shall, create any type of relationship between the sheriff or any other responding agency and any alarm user, responsible party or third person.

Proposed on the 10th day of July, 1984.

Proposed by Commissioners Williams, King, Ritter; McDowell and Lillard

Passed on the 14th day of August, 1984.

Vote:

Ayes: Commissioners: Lillard, McDowell, Ritter

Nays: Commissioners: None

Absent: Commissioners: Williams and King

Acting James C. Lillard
Chairman of the Board

ATTEST:

Judi Bailey CLERK
Billy Lee CHIEF DEPUTY

County Clerk

This ordinance shall be in force and effect from and after
the 27th day of August, 1984.