

ORDINANCE NO. 176223

An ordinance amending Section 103.206 of the Los Angeles Municipal Code relating to Alarm Systems.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 103.206 of the Los Angeles Municipal Code is amended to read:

Sec. 103.206. Alarm Systems

(a) **Definitions.** Unless the context or subject matter otherwise requires, terms defined here shall have the following meaning when used in this chapter:

(1) **Alarm System.** Any assembly of equipment and devices installed on premises, buildings or structures for the purpose of signaling the presence of an Emergency or hazard requiring urgent attention, excepting any system, device, or mechanism primarily protecting a motor vehicle.

(2) **Alarm System User.** The person who controls both the Alarm System and the premises upon which it is installed, or the person who controls the premises and is the subscriber, client or customer of an Alarm Company Operator, as that term is used in Section 103.206.1 of this Code.

(3) **Burglar Alarm System.** An Alarm System designed or used to detect and report an unauthorized entry or attempted unauthorized entry upon the premises, building or structure protected by the system.

(4) **Department.** The Los Angeles Police Department.

(5) **Emergency.** The commission or attempted commission of a robbery, burglary, or other criminal activity.

(6) **False Alarm.** The activation of an Alarm System resulting in a response by the Department where an Emergency of the kind for which the Alarm System was designed to give notice does not exist.

(7) **Private Guard Responder.** A guard employed by an Alarm Company Operator, private guard company, or person or entity authorized

by the Alarm System User to be responsible for Verification of an unauthorized entry, attempted unauthorized entry, or other crime which may have occurred at the premises, building or structure protected by the Alarm System.

(8) Robbery Alarm System. An Alarm System designed or used for alerting others of a robbery or other crime in progress which involves potentially serious bodily injury or death. For purposes of this definition, a Robbery Alarm System includes duress, panic, hold-up and robbery-in-progress alarms.

(9) Verification. Confirmation of an unauthorized entry or attempted unauthorized entry upon the premises, building or structure protected by the Burglar Alarm System. Confirmation may be made by the Alarm System User, other person at or near the scene of the activation, Private Guard Responder or Alarm Company Operator, and shall be based on a physical observation or inspection of the premises, or by remote visual inspection of the premises. For purposes of this definition, remote visual inspection of the premises is a visual inspection of the premises protected by the Burglar Alarm System which is accomplished through the use of a video camera or other similar device to capture and transmit visual images of the premises to the Alarm System User, Alarm Company Operator, Private Guard Responder, or person or entity authorized by the Alarm System User. The visual images must be sufficiently discernable to permit the viewer to confirm that an unauthorized entry, attempted unauthorized entry, or other crime has occurred at the premises protected by the Burglar Alarm System.

(b) Permit Requirement. No person shall install, connect, activate, operate or use an Alarm System without a valid Alarm System permit having been issued for that purpose.

(c) Permit Application. Application for an Alarm System permit must be in writing on a form provided by the Board. Applications must be accompanied by the permit fee established in Section 103.12.

(d) Permit Denial, Suspension and Revocation. The Board of Police Commissioners may suspend or revoke the permit of any Alarm System User whose Alarm System has experienced more than ten (10) False Alarms within a 365 day period. Failure to pay a False Alarm fee or penalty assessment within sixty (60) days of billing shall be grounds for revocation of a permit. Beginning February 1, 2005, and thereafter, no permit shall be issued or renewed until all Alarm System permit fees, False Alarm fees, late fees or penalty assessments due and owing are paid.

(e) False Alarm Fees and Penalties.

(1) False Alarm Fees. Alarm System Users shall pay a False Alarm fee of \$115.00 for each False Alarm.

(2) Penalty Assessments. All penalties assessed under this section shall be in addition to any False Alarm fee.

(i) Permitted Alarm System. In addition to the False Alarm fee an Alarm System User with a valid permit shall pay a penalty assessment of \$50.00 for the second False Alarm within 365 days of the first False Alarm. The penalty assessment will increase by \$50.00 increments for each additional False Alarm incurred during a 365 day period.

(ii) Non-permitted Alarm System. In addition to the False Alarm fee an Alarm System User who does not possess a valid permit on the date of the False Alarm shall pay a penalty assessment of \$100.00 for the first False Alarm. The penalty assessment will increase by \$100.00 increments for each additional False Alarm incurred during a 365 day period.

(f) Late Permit Penalty. An Alarm System User who fails to obtain a permit as required by this Section shall pay a Late Permit Penalty of \$10.00 in addition to the permit fee established in Section 103.12.

(g) Waiver of Fees. The Board of Police Commissioners may waive the fees and penalties provided it has adopted and follows guidelines for the waiver of fees.

(h) The Department shall advise the Office of Finance of all applicable fees and penalties. The Office of Finance shall bill the charges to the Alarm System User. The charges shall be due and payable to the Office of Finance within 30 days of the billing date.

(i) If the Office of Finance determines for any billing that a discrepancy exists between the charges paid and the amount due pursuant to this section, which results in an underpayment or overpayment in an amount of \$3.00 or less, the Office of Finance may accept and record the billing as paid in full, without other notification to the person billed.

(j) If the Office of Finance determines that any amount due pursuant to this section cannot be collected or that efforts to collect this sum would be

disproportionately costly in relation to the probable outcome of the collecting efforts relative to the amount due, the Office of Finance may prepare a report setting forth the findings and reason for that determination and submit that report to a Board of Review constituted under Section 11.04 of this Code and authorized to act as provided in that section. Upon unanimous approval of the finding by the Board of Review, the Office of Finance may remove any unpaid sum owing or believed to be owing from the active accounts receivable of the Department. The removal however shall not preclude the City from collecting or attempting to collect the sum if it later proves to be collectible, as provided by Section 11.04. In the event the City files an action in court to recover the sum, the City shall be entitled to recover its costs and attorney's fees in addition to the amount due and owing.

(k) Additional Duties of Alarm System User.

(1) The Alarm System User shall display on the premises, building or structure, at or near the main entrance, the Alarm System permit number and the telephone number of the person designated to respond to the location in the event of an alarm. Numbers shall be clearly visible and readable from the exterior of the premises. The premises shall display the street address at or near the front of the premises and at other places where access is available, such as, from an alley or parking lot. The street address shall be clearly visible.

(2) All Alarm System notifications to the Department shall begin with the Alarm System User's name, complete address including unit or apartment number, Alarm System permit number and shall include the state alarm company operator license number.

(3) The Alarm System User or a designee of the Alarm System User shall respond to the premises following activation of an alarm at the premises after being requested to do so by the Department. The response shall be made within a reasonable time and, in any event, not later than sixty (60) minutes after being requested to do so by the Department.

(4) The Alarm System User shall abide by all additional rules and restrictions adopted by the Board.

(l) Impermissible Systems and Uses.

(1) No person shall operate or use any Alarm System that emits a sound similar to that of an emergency vehicle siren or a civil defense warning system.

(2) No person shall operate or use an Alarm System that emits an audible sound where the emission does not automatically cease within thirty (30) minutes.

(3) No person shall operate or use a Robbery Alarm System for any purpose other than reporting robberies or other crimes involving potential serious bodily injury or death.

(4) No person shall operate or use a Burglar Alarm System for any purpose other than detecting and reporting an unauthorized entry or an attempted unauthorized entry upon the premises, building or structure protected by the system.

(5) No person shall operate or use an Alarm System that has been disapproved by the Board of Police Commissioners.

(6) No person shall operate or use a Burglar Alarm System that causes a request for service to be placed with the Department or with a 9-1-1 emergency service number prior to Verification if the Burglar Alarm System has already experienced two False Alarms within a 365 day period. Verification is not required for a Robbery Alarm System activation or for activations that occur at premises, buildings or facilities controlled or monitored by federal, state or local agencies, or the location of a licensed firearms business.

(7) No Alarm Company Operator shall cause a request for service to be placed with the Department until such time as it has made (2) attempts to verify the need for service by telephonic means. This provision does not modify or limit subsection I (6).

(8) No Alarm Company Operator shall, within seven (7) days following a new Alarm System installation, cause a request for service to be placed with the Department prior to Verification.

(9) No person shall provide false information which causes the Department to dispatch officers to the location of an Alarm System.

(10) No person shall operate or use a Burglar Alarm System which causes a request for service to be placed with the Fire Department for any purpose other than for an emergency fire response.

(m) Violation. Violation of this section, other than by failure to pay a fee or penalty assessment, shall constitute a misdemeanor.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of SEP 21 2004.

J. MICHAEL CAREY, City Clerk

By
Deputy

Approved SEP 28 2004

Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By
CARLOS DE LA GUERRA
Deputy City Attorney

Date 9-21-04

File No. 03-0028

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 176223 - Amended 103.206 of the L.A.M.C. relating to Alarm Systems - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on Sept. 21, 2004, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on Sept. 29, 2004, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on Sept. 29, 2004 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 29th day of Sept. 2004 at Los Angeles, California.


Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: Nov. 8, 2004

Council File No. 03-0028

(Rev. 3/21/03)