

Article II. - Security Alarm Systems.

Sec. 22-10. - Purpose.

The purpose of this chapter is to establish standards and controls for the various types of intrusion, hold-up and other emergency signals from alarm systems that require police response or investigation, and for the businesses and persons installing and servicing said systems in order to protect the public health, welfare and safety and control the excessive number of false alarms.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-11. - Definitions.

For the purposes of this chapter, the following definitions shall apply:

- (a) "Alarm agent" means any person who is self-employed or employed either directly or indirectly by an alarm business whose duties include any of the following: selling; maintaining; leasing; servicing; repairing; altering; replacing; moving or installing an alarm system in or on any building, place or premises.
- (b) "Alarm business" means any person, firm or corporation conducting or engaged in the business of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or monitoring an alarm system in or on any building, place or premises.
- (c) "Alarm System" is any device designed for the detection of an unauthorized entry on premises or for alerting others of the commission of an unlawful act or both, and which, when actuated, emits a sound or transmits a signal to indicate that an emergency situation exists, and to which police are expected to respond. "Alarm System" also includes a "Fire Alarm System" as defined in Salinas Municipal Code section 22A-2(e).
- (d) "Alarm user" means any person using an alarm system at his place of business or residence.
- (e) "Audible alarm" is a device designed for the detection of the unauthorized entry on or attempted entry into a premises or structure or for alerting others of the commission of an unlawful act or both, and which, when actuated, generates an audible sound on the premises.
- (f) "False alarm" means the activation of an alarm system necessitating response by the police when an emergency does not exist; provided, however, alarms generated by earthquakes, or unusual weather conditions will not be considered as false alarms.
- (g) "Nonpriority" means that police response to the activation of an alarm will not be given precedence over other calls and will be predicated upon availability of police units and other service needs.
- (h) "Police chief" means the police chief of the city of Salinas, or his designated representative.

(Ord. No. 1818 (NCS), § 1.)

(Ord. No. 2579 (NCS), § 2, 9-20-2016)

Sec. 22-12. - Alarm business registration.

- (a) It shall be unlawful for any person, partnership, corporation or firm to own, manage, conduct or carry on the business of selling, leasing, installing, servicing, maintaining, repairing, replacing, moving, removing or monitoring an alarm system in or on any building, place or premises within the city without first having registered with the police department; provided, however, such registration shall not be required for any business which only sells or leases said alarm systems from a fixed location,

unless such business services, installs, monitors or responds to alarm systems at the protected premises.

- (b) Registration shall be accomplished by furnishing such information as may be required by the police department, including, but not limited to, the full name of the business, the number of the license issued pursuant to Section 7521(f) of the Business and Professions Code for the alarm business, and the name and business address of the manager of operations for the area which includes the city.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-13. - Alarm agent registration.

- (a) It shall be unlawful for any person, including the owners of an alarm business, to engage directly in the selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing of an alarm system in or on any building, place or premises within the city without first having registered his name and filed with the police chief a copy of the alarm agent registration card issued to him pursuant to the provisions of Section 7514(g) of the California Business and Professions Code.
- (b) Nothing herein shall require a person to so register in order to install, service, repair, alter, replace or move an alarm system on the premises owned or occupied by that person.
- (c) Nothing herein shall require a person to so register who is merely a salesman for any business not required to obtain an alarm business permit under the provisions of Section 22-12 if such salesman does not engage in any other activities related to alarm systems apart from selling.
- (d) Every person engaged in installing, repairing, servicing, altering, replacing, moving or removing an alarm system as defined herein on any premises within the city, other than premises owned or occupied by said person, shall carry on his person at all times while so engaged a valid state alarm agents' registration card and shall display such card to any police officer upon request.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-14. - Notification of change.

- (a) Any alarm business registered with the police department shall immediately report to the police chief any change of address or ownership of the business or the name or area which includes the city.
- (b) Any person registered as an alarm agent shall immediately report to the police chief any change of address.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-15. - Alarm user's permit.

- (a) No person shall install, or cause to be installed, use, maintain or possess an alarm system on premises owned or in the possession or control of such person within the city without first having obtained an alarm user's permit from the police chief in accordance with this section.
- (b) Owners of existing alarm systems will be notified of these permit requirements as discovered. In such cases, permit applications shall be made within thirty days of notification.
- (c) The application for an alarm user's permit shall be submitted on a form as prescribed by the police chief and shall include the address of the premises wherein the system is to be located and the name, address and telephone number of the applicant and persons who will render service or repairs during any hour of the day and night. It shall be the duty of the alarm user to keep this information current.

- (d) The permit shall be denied by the police chief if the alarm system does not comply with this article or standards adopted pursuant to Section 22-16.
- (e) The appeal process shall be as follows:
 - (1) Upon denial, the party whose application has been denied may request a hearing before the police chief or his designate.
 - (2) At said hearing, the party who requested the hearing shall be entitled to present evidence on his own behalf.
 - (3) If the application is denied after said hearing, the police chief or his designated hearing officer shall state in writing the reasons for the denial.
 - (4) The decision of the police chief or his designated hearing officer shall be final.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-16. - Alarm system standards.

The police chief, or the fire chief with respect to fire alarm systems defined in Salinas Municipal Code section 22A-2(e), may adopt standards and regulations for the operation of alarm systems. Any such standards and regulations shall be available to the public for distribution in written form at a reasonable fee.

(Ord. No. 1818 (NCS), § 1.)

(Ord. No. 2579 (NCS), § 3, 9-20-2016)

Sec. 22-17. - Telephone device prohibited.

Except as provided in this article, no person shall use or cause to be used any telephone device or telephone attachment that automatically selects a public telephone trunk line to the city police department, the Monterey County communications center, or to any other telephone number without the agency director's or owner's permission, and then reproduces any pre-recorded message to report any burglary or other emergency.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-18. - Monitoring services.

Every alarm business which monitors an alarm system located within the city shall maintain on file a current listing of all such alarm systems, including the name, address and telephone number of the individual or individuals from whom entry to the premises may be obtained. Said information shall be available to the police department upon request.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-19. - Disconnection of audible alarms.

If service is unavailable, audible alarms which have emitted an alarm signal in excess of thirty minutes are hereby declared to be a nuisance, and the police department may cause such alarm to be disconnected by a registered alarm agent, with the cost therefor to be a charge payable by the alarm user. This charge will be separate and apart from all other charges.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-20. - Service fees.

Fees for response to false alarms shall be established by resolution in accordance with City Code Chapter 11B, Fee and Service Charge Revenue/Cost Comparison System.

(Ord. No. 1818 (NCS), § 1; Ord. No. 1859 (NCS), § 1; Ord. No. 2448 (NCS), § 1.)

Sec. 22-21. - Nuisance alarms.

- (a) The police chief may designate an alarm system at a specific location as a nuisance if such alarm system actuates excessive false alarms.
- (b) It is hereby found and determined that four false burglary alarms within any three consecutive calendar month period or two false robbery alarms within any three consecutive calendar month period is excessive and thereby constitutes a public nuisance. The police chief shall not consider any alarm in his computation of nuisance alarms if such alarm was generated by earthquakes, or unusual weather conditions, and not the result of the negligence of the alarm user, his agents or employees.
- (c) The permit of an alarm user shall be automatically suspended if in violation of standards established by subsection (b) of this section. The police chief or his designate shall serve the permittee with a written order of suspension, which shall state the reason for such suspension. The order shall be effective immediately if personally served or forty-eight hours after the same has been deposited with postage prepaid in the United States mail.
- (d) Immediately upon such order of suspension becoming effective, the alarm system shall receive nonpriority response from the police department.
- (e) The suspension of the alarm user's permit shall become a revocation fifteen days after the suspension becomes effective unless the permittee requests a hearing.
- (f) The permittee may request a hearing from the police chief. While the hearing is pending, the revocation shall be stayed.
- (g) At the hearing, the permittee may present evidence on his own behalf. The permittee may also present written verification that the alarm system has been completely evaluated and the problem located and corrected.
- (h) If the revocation is ordered after the hearing, the police chief or his designated hearing officer shall state in writing the reasons for the revocation.
- (i) The decision of the police chief or designated hearing officer shall be final.

(Ord. No. 1818 (NCS), § 1.)

Sec. 22-22. - Enforcement.

- (a) Violation of this chapter is an infraction and is punishable by a fine of not less than one hundred dollars nor more than two hundred fifty dollars.
- (b) 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.

(Ord. No. 1818 (NCS), § 1.)