

Chapter 4.145

FALSE ALARMS

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4.145.010 Title/purpose.

This chapter shall be known as the “False (Security) Alarm Ordinance.” The purpose of this chapter is preserving the public health, safety, and welfare by providing a measure of administrative control over security alarm systems, as defined hereinafter. (Ord. 953 § 1. Code 1997 § 21B-35)

4.145.020 Definitions.

“Alarm agent” means any person employed by an alarm business whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling, servicing, responding to (excluding public safety officer), or causing others to respond to an alarm system in or on any building, structure, facility, vessel or vehicle.

“Alarm business” means any business carried on by any person who engages in the sale, lease, maintenance, service, repair, alteration, replacement or installation of any alarm or alarm system in or on any building, structure, facility, vessel or vehicle.

“Alarm system” means an assembly of equipment and devices arranged to signal the presence of a fire, hazard or intrusion into a building, structure, facility, vessel or vehicle requiring urgent attention and to which fire, police or other emergency equipment is expected to respond. Alarm systems include, but are not limited to, direct dial tone devices, telephonic alarm systems, audible alarm and proprietor alarms. Devices which are not

designed or used to evoke a police or fire response or used to register alarms that are intended to be audible, visible or perceptible outside of the protected building, structure, or facility are not included within this definition, nor are auxiliary devices installed by a telephone company to protect its systems which might be damaged or disrupted by the use of an alarm system.

“Audible alarm” means a device designed for the detection of a fire or of an intrusion on premises which generates an audible sound on the premises when it is actuated.

“City” means the city of South Lake Tahoe.

“False alarm” means the activation of an alarm system through mechanical failure, accident, misoperation, malfunction, misuse, or the negligence of either the owner or lessee of the alarm system or any of their employees or agents. A police false alarm shall be deemed to have occurred after an alarm dispatch request is received and the responding officer finds no evidence of a criminal offense or attempted criminal offense at the alarm site, but does not include an alarm dispatch which is cancelled by the alarm user or permittee prior to the time the responding officer reaches the site.

“Person” means a person, firm, corporation, association, partnership, individual, organization or company.

“Proprietor alarm” means an alarm which is not regularly serviced by an alarm business.

“Subscriber” shall mean a person who owns or leases property or premises on which a security alarm system has been installed or is proposed to be installed or who contracts or proposes to contract with an alarm business for the leasing, servicing or maintaining of a security alarm system, and who has or will have authority to cause the security alarm system to be serviced, repaired and removed after the system is installed.

“Telephonic alarm system” means any mechanism, equipment or device which is designed to operate automatically through the use of public telephone facilities to transmit a signal, message or warning to another location. (Ord. 953 § 1. Code 1997 § 21B-36)

4.145.030 Permit for alarm system required.

No person shall install or use an alarm system without first obtaining an alarm permit issued by the city in accordance with the provisions of this chapter. The issuance of a permit shall not constitute a representation, warranty, or guaranty on the part of the city that the alarm system will operate to the satisfaction of the city or to the satisfaction of the subscriber, nor shall such registration relieve the subscriber of his responsibility to comply with all other provisions of this chapter, nor shall such registration relieve the subscriber of the responsibilities under this chapter in case of a failure to comply with such provisions.

No alarm user shall operate or cause to be operated an alarm system at its alarm site without a valid alarm permit. A separate alarm permit is required for each alarm site. An application for an alarm permit shall be accompanied by an alarm permit fee to be established by resolution of the city council. (Ord. 953 § 1. Code 1997 § 21B-37)

4.145.040 Application for alarm permit – Investigation.

Upon receiving an application from any person for an alarm permit, the chief of police, or his designee, shall cause an investigation to be made of the system to be installed to determine if the system complies with the requirements of this chapter. If the proposed system complies with this chapter, the chief of police shall cause a permit to be issued. (Ord. 953 § 1. Code 1997 § 21B-38)

4.145.050 Duration of permit.

Permits for private residences shall be valid for three years from the date of issuance. Permits for nonresidential alarms shall be valid for one year from the date of issuance. An application for renewal of alarm permit shall be accompanied by a renewal fee established by resolution of the city council, and any unpaid past due fees or fines. Permits will not be renewed until all fees and fines have been paid. (Ord. 953 § 1. Code 1997 § 21B-39)

4.145.060 Revocation of permits.

An alarm permit may be revoked as follows: If, after investigation, the chief of police determines that the permittee has violated any provision of this chapter, or any conditions of the permit or fails to pay a false alarm penalty as provided in SLTCC [4.145.080](#), the chief of police shall send to the permittee, by certified mail, a notice of intent to revoke the permit, which notice shall specify the violation or violations determined by the chief of police to exist and that permittee has the right to appeal the decision pursuant to Chapter [2.35](#) SLTCC, and that failure of the permittee to remedy the violation or violations specified in the notice of revocation within the 15-day appeal period, or within such additional time as may be allowed by the chief of police upon a showing of good cause therefor, then the alarm permit shall be considered revoked. No new alarm permit application may be made for a period of six months after the permit is revoked, unless waived for good cause by the chief of police. (Ord. 953 § 1; Ord. 981 § 1; Ord. 1105 § 1 (Exh. B). Code 1997 § 21B-40)

4.145.070 Appeal.

If any permittee or alarm user is aggrieved by the revocation of a permit, or the suspension of an alarm system by the chief of police pursuant to the provisions of this chapter, the alarm user or permittee may appeal pursuant to Chapter [2.35](#) SLTCC. (Ord. 953 § 1; Ord. 981 § 1; Ord. 1105 § 1 (Exh. B). Code 1997 § 21B-41)

4.145.080 False alarm penalty.

A. Any person who maintains, uses or possesses an alarm system, and which alarm has caused any signal, message or alarm to be transmitted to the police department, either by direct telephone or other direct communication or by communication from an alarm agent or an alarm business, or by a person responding to an audible alarm and which alarm is determined to have been a false alarm by the chief of police shall pay a false alarm penalty as provided below:

1. Police False Alarms.

\$50.00 for a third false alarm within any consecutive 12-month period.

\$100.00 for a fourth false alarm within any consecutive 12-month period.

\$150.00 for a fifth false alarm within any consecutive 12-month period.

\$250.00 for the sixth and any subsequent false alarms within any consecutive 12-month period.

Additional \$25.00 increase for each subsequent false alarm within a consecutive 12-month period. For example, \$275.00 for a seventh false alarm; \$300.00 for an eighth, etc.

B. In the event that the permittee sustains six false alarms within any consecutive 12-month period, the chief of police, in addition to imposing the false alarm penalties provided herein, may commence revocation proceedings, as provided for by SLTCC [4.145.060](#).

C. Notice of false alarm penalties shall be served, and false alarm penalties may be appealed in the manner provided in SLTCC [4.145.060](#) through [4.145.070](#).

D. False alarms occurring during the first 30 days of operations of a registered, newly installed security alarm system shall not be counted for purposes of subsection (A)(1) of this section.

E. Alarms caused by storm activity, power outages, or other factors beyond the control of the subscriber, as determined by the South Lake Tahoe police department, shall not be counted for purposes of subsection (A)(1) of this section.

F. Any person operating a nonregistered alarm system will be subject to a fine of \$250.00. The chief of police may waive this fine for a nonregistered system if the alarm user submits an application for an alarm permit within 10 days of the violation. (Ord. 953 § 1; Ord. 981 § 1. Code 1997 § 21B-42)

4.145.090 Alarm system standards and regulations.

A. The chief of police shall adopt standards and regulations governing the installation, maintenance and operation of alarm systems, which may be included as conditions to the permit, and may specify the type of equipment to be utilized to aid or assist responding emergency equipment. No person shall engage in the business of an alarm agent unless that person has registered with the chief of police and obtained a business license. An alarm agent's permit to operate within the city and a copy of that person's state identification card shall be submitted to the chief of police. No fee or application shall be required for such registration.

B. The chief of police may adopt a policy of not responding to signals from an alarm system if any person continues to operate an alarm system after the alarm permit has been duly revoked as described in SLTCC [4.145.060](#). (Ord. 953 § 1; Ord. 981 § 1. Code 1997 § 21B-43)

4.145.100 Response upon notification.

Upon notification by the South Lake Tahoe police department, the servicer or occupant shall proceed promptly and within 30 minutes to the scene and render necessary service. This service shall include, when necessary, the opening of the premises so that they may be searched. (Ord. 953 § 1. Code 1997 § 21B-44)

4.145.110 False alarm determination.

The cause for activation of an alarm system shall be determined by the chief of police or his designee and upon failure to find any evidence of an illegal entry on the protected premises or the commission or intended commission of an unlawful act, the chief of police or his designee shall make the determination that the alarm was false as defined in SLTCC [4.145.080](#). (Ord. 953 § 1. Code 1997 § 21B-45)

4.145.120 Prohibitions.

No person shall install or use an alarm system which, upon activation, emits a sound similar to sirens in use for emergency vehicles or civil defense purposes. (Ord. 953 § 1. Code 1997 § 21B-46)

4.145.130 Fees.

Fees prescribed heretofore in this chapter shall be in addition to any other lawful fees imposed by the city for doing or conducting business within the city. (Ord. 953 § 1. Code 1997 § 21B-47)

4.145.140 Limitations on liability.

The city is under no obligation or duty to any permittee or any other person by reason of any provision of this chapter, or the exercise of any privilege by any permittee hereunder, including but not limited to any defects in a police or fire alarm system, any delay in transmission of an alarm message to any emergency unit, or damage caused by delay in responding to any alarm by any city officer, employee or agent. (Ord. 953 § 1. Code 1997 § 21B-48)

4.145.150 Public nuisance.

Any security alarm system installed, operated or maintained in violation of any of the provisions of this chapter is hereby declared to be a public nuisance and may be abated in accordance with the provisions of this code or of state law authorizing the abatement of public nuisances. (Ord. 953 § 1. Code 1997 § 21B-49)

4.145.160 Rules and regulations.

The chief may promulgate reasonable rules and regulations that may reasonably be necessary for the purposes of assuring the quality, efficiency and effectiveness of police alarm devices, holdup alarms and alarm installations owned, operated, maintained, installed or sold by a permittee under this chapter, and of administering and enforcing the provisions of this chapter. (Ord. 953 § 1. Code 1997 § 21B-50)

4.145.170 Penalty for violations.

Any person violating the provisions of this chapter without a valid permit shall be guilty of an infraction resulting in imposition of a fine of \$500.00 for a first violation and a fine of \$1,000 for a second violation. Additional penalties will be assessed for continuous violations. (Ord. 953 § 1. Code 1997 § 21B-51)

4.145.180 Application of chapter.

Any person who, on the effective date of the ordinance codified in this chapter, possesses, has installed or uses an alarm system which requires a permit under this chapter shall apply for and receive a permit, as provided in this chapter, within six weeks after the effective date of said ordinance. (Ord. 953 § 1. Code 1997 § 21B-52)