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CITY COUNCIL MEETING
AUGUST 15, 1984

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Ag 238

CONSIDERA-
TION OF
PROPOSED
ALARM ORD.
DEFERRED

Council deferred to a date uncertain, consideration of the proposed Alarm Ordinance following a request for delay from the San Joaquin County Alarm Association.

CITY OF LODI

POLICE DEPARTMENT
230 WEST ELM STREET
LODI, CALIFORNIA 95240
(209) 368-0616



HENRY A. GLAVES
City Manager

November 15, 1983

MARC YATES
Chief of Police

To: Henry A. Glaves, City Manager
From: Captain Floyd A. Williams
Subject: Lodi Police Department Alarm Board

As you are well aware, the Police Department has recently gone through a remodel of the Communications Center (dispatch), replacing all of the equipment which was installed in 1967. There are two items which were not replaced in the recent remodel:

- 1) The tape recorder (which was replaced about five years ago) is still serviceable.
- 2) The alarm board - which is still original equipment.

At the present time, and for the past several months, we have been investigating various types of alarm boards and the costs associated with each. There are several reasons we feel we must replace the existing alarm board:

- a) The equipment is outdated. The present board will show an activation, at which time the department must respond as if there is in fact a break-in or robbery in progress. The new alarm equipment has the capability of advising when the activation is due to equipment failure rather than a bona fide alarm. This would still require verification by the department but the manner of response would be different. Not having an automatic emergency response reduces the chance of officer or citizen injury often associated with emergency response.
- b) Due to the age of the equipment, we have frequent failures at the board. Motorola (who has been servicing the board) informs us they are finding it increasingly difficult to find replacement parts.

..continued..

- c) The present board will not fit in the new console. The old board is currently sitting on a cabinet which is designed to hold the tape recorder which tapes telephone and radio transmissions to the desk. Because the board is occupying the place for the recorder, we have not had the ability to record calls for several months and this has caused some concern as we are unable to verify radio or telephone conversations when investigating citizens' complaints.

With the aforementioned reasons in mind, we began to investigate various alarm boards which would be compatible with our console and which would give us and the subscriber good service. Approximately one year ago, before his retirement, Captain Raggi (who was then the Administrative Services Division Commander) began to look at available systems. Because of the combination of cost and not meeting the needs of our department, we were unable to locate a suitable model.

Approximately one month ago Captain Larry Hansen (now Administrative Services Division Commander) and I visited Stockton Police Department to look at their system. Stockton Police Department has the "Varitech" alarm system and they have been very satisfied with the way it has functioned. It has been in operation there since 1972. In talking with both management personnel and the dispatchers working with the equipment, all those contacted felt it was very reliable equipment. We questioned Captain Neeley about the cost and learned that the equipment belonged to the Jorgensen Company of Fresno, California. It was installed at no cost to the City of Stockton and is paid for by the subscribers in the form of a monthly charge to be hooked up to the equipment.

In order to learn more about the system and how it might meet our needs, I directed Captain Hansen to contact Jorgensen Company and ask them to have a representative contact us. We were subsequently contacted by Mr. Cliff Pedersen, sales representative, who examined our console and stated the Varitech unit would fit without any modification.

When questioned regarding the cost of the unit, Mr. Pedersen stated there were two options open to us. Jorgensen would install the equipment at no cost to the City. They would maintain and service the equipment and each business who was hooked up to the alarm would pay Jorgensen \$84.00 per year. This figure was based on 50 accounts. Any business desiring to connect to the equipment after the initial changeover would pay a hookup fee of \$50.00 and \$84.00 per year. In addition to this, Jorgensen will hook up any City alarms at no charge. At present the Fire Department monitors 3 alarms which will be transferred to the Police Department when we take over dispatch. The Police Department presently has four smoke alarms in the Jail which could be hooked to the equipment as well as the Lodi Municipal Court alarms.

Jorgensen stated they would require a seven year contract signed by the City. I requested Mr. Pedersen draw up a sample contract and return it, at which time I would request that Mr. Jerry Glenn attend the meeting.

A meeting was subsequently held at the Police Department, attended by Captain Hansen, Mr. Glenn, Mr. Graves, Mr. Pederson and me. At that meeting terms and conditions were discussed along with the possibility of the City purchasing the equipment. Mr. Pedersen stated the Veritech unit we were looking at (at that time) could be purchased for approximately ten thousand dollars.

He was questioned in terms of the possibility of a conflict of interest developing in that they would install the equipment and then sell alarms to local customers, thereby developing a monopoly. He assured us his company was not and did not desire to be in competition with local alarm companies and went so far as to state that it could be made a part of the contract that Jorgensen would not install alarms locally.

Due to the feature of the Veritech unit which advises if the alarm is a malfunction or a valid alarm, it is necessary for the alarm companies to make a modification at the subscriber's place of business. Due to this fact, it was decided to hold a meeting with the owners of the three local alarm companies (Paul's, Centurion and Mokelumne) to determine if they would be able to make the necessary changes and if the new system would create any problems for them.

Captain Hansen made contact with the above named alarm companies and met with them and Mr. Pedersen. Neither Mokelumne or Centurion had any complaint about the alarm or doing business with Jorgensen. Paul's indicated a desire to furnish the alarm to the City rather than Jorgensen. This suggestion brought dissatisfaction from both Mokelumne and Centurion. They felt if Paul's had the equipment here he would be in a position to monopolize the market by cutting out the middle man. This was also our concern with Jorgensen when we asked if they would be in competition with local alarm companies.

I requested that Captain Hansen contact other agencies who had Veritech equipment to determine who had installed their alarms - was the company local - how did they choose the company - and were they satisfied with Veritech equipment. Captain Hansen contacted Stockton Police Department, Galt Police Department and Manteca Police Department.

Stockton Police Department stated they had done business with Jorgensen & Company for several years and were happy with them. When it came time to put in their new board, they stayed with Jorgensen and they continue to be happy with both the equipment and the company.

Manteca Police Department stated they decided what equipment they wanted, contacted Day & Night from Stockton, and they supplied the equipment.

Galt Police Department decided what equipment they wanted, contacted Paul's and he supplied it. They are happy with the equipment but not the service.

I should also note here that after discussing this with the local companies, it was pointed out that Veritech is now making a model which uses reverse polarity - requiring a dedicated pair of telephone wires - and digital communication which uses the existing lines from the business telephone. The feeling among the local companies is that with the ever-increasing cost of phone lines, those business which are not high risk (high risk defined as banks, savings and loans, jewelry stores, pharmacies, etc.) will not be able to afford the cost of dedicated lines and will eventually go to the digital communication. After this point was raised, Captain Hansen inquired into the availability of this equipment. Jorgensen will supply this to us (this is the price quoted earlier).

There are two considerations which must be made when deciding which board we want:

- 1) The board only capable of handling reverse polarity alarms will always tell us when the alarm is equipment failure. As stated earlier, that will determine the type of response we make.
- 2) The combination reverse polarity/digital communication will allow businesses a direct hookup for less money - thus allowing more people a direct hookup. If we go this way, however, we will give up the ability to know when we have a false alarm or when we have equipment failure.

Even if we only have a reverse polarity system here, we still must respond to alarms from local companies via an answering service. When this occurs we still have no way of knowing if the alarm is false.

Since we feel time is of the essence in responding to alarms, I would recommend the dual model as those alarms coming direct are much faster in that they cut out the middle person. In the past there have been lengthy delays in relaying the information to the Police Department.

As an alternative measure, the City can purchase the equipment from the company. The cost of this would be as follows:

Varitech unit:	\$ 13,534 + tax
*Spares:	
Receiving Unit	2,381 + tax
Control Unit	<u>2,045 + tax</u>
Total	\$ 17,960 + tax

(* The "spares" are recommended as this allows the modular unit to be replaced in case of malfunction and the malfunctioning unit repaired later - allowing time to get parts, etc.)

Captain Hansen has conferred with Motorola and they stated they would be able to do the hookup and servicing if schematics and manuals were available to them.

One of the problems with purchasing the equipment is that unless the City charges subscribers for a hookup (which has not been done to this point), those people coming direct would not be paying for equipment while those required to go to alarm companies have an equipment cost built in to their monthly service charge, causing an inequity.

We also recommend a priority list for direct hookup, limiting the direct hookup to those businesses and institutions which are a high risk.

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Henry A. Graves, City Manager
November 15, 1983
LPD Alarm Board

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Due to the problems stated earlier regarding a local company putting in the equipment, I recommend that we deal with an outside company with a stipulation in the contract that they will not compete locally with our alarm companies.

Respectfully submitted,

Floyd Williams

Captain Floyd A. Williams
Patrol Division Commander

FAW:jkm
encl.



JORGENSEN & CO.

2691 S. EAST AVE., FRESNO, CA. 93706, (209) 268-6241
ALSO LOCATED IN: VISALIA · MERCED · MODESTO

October 28, 1983

City of Lodi
Police Department
230 W. Elm St.
Lodi, CA 95240

Attn: Captain Larry Hansen

Subject: Varitech Receiver for Reverse Polarity and Digital Dialers

Jorgensen & Company has been in business since 1932 in the San Joaquin Valley. The Varitech receiving panel at the Stockton Police Dept. is owned and maintained by us. Jorgensen & Company will furnish and install at the Lodi Police Facility one Varitech receiver for reverse polarity and digital dialers at no cost to the City. We will connect the alarms presently in use at the Police Facility. The cost to connect the existing alarms will be \$84.00 per account per year payable annually in advance. The \$84.00 per account per year is based on the approximate 50 accounts that now being received. The term of the agreement would be for a minimum of seven years. Whether we invoice the individual account or the alarm company, it does not really matter to us.

Alarms owned by the City and connect to the Varitech receiver would be at no cost to the City. All new alarms installed after the original changeover to the Varitech receiver would be charged a \$50.00 one time installation charge and \$84.00 per year for connection. If we may be of further assistance, please contact me.

Sincerely,

JORGENSEN & COMPANY

Cliff Pedersen / BJA

Cliff Pedersen
Protective Systems Division

CP:bjc

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF LODI ESTABLISHING AND PROVIDING
FOR THE REGULATION OF BURGLARY AND ROBBERY ALARM SYSTEMS**

The City Council of the City of Lodi DOES ORDAIN as follows:

SECTION 1. A new chapter is hereby added to the City of Lodi Municipal Code as follows:

CHAPTER _____ . ALARM SYSTEMS.

Sections:

- _____ Definitions
- _____ Permit for Alarm System Required
- _____ Application for Permit
- _____ Application for Alarm Permit - Investigation
- _____ Suspension or Revocation of Permits
- _____ Notice of Appeal
- _____ False Alarm Penalty
- _____ Alarm System Standards and Regulations
- _____ Alarm Requirements
- _____ Automatic Shutoff Requirements-Audible Alarms
- _____ Delay Device Requirements
- _____ Power Supply
- _____ Testing Alarm
- _____ Prohibitions
- _____ Fees

_____ Limitation on Liability
_____ Criminal Penalties
_____ Application of Chapter

_____. DEFINITIONS. For the purpose of this Chapter, certain words and phrases shall be construed herein as set forth in this section unless it is apparent from the context that a different meaning is intended.

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, or facility.

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 systems in or on any building, structure or facility.

Alarm System means any mechanical or electrical device which is designed or used for the detection of intrusion into a building, structure or facility, or for alerting others of an event within a building, structure or facility, which event causes a local audible alarm or transmission of a signal or message. Alarm systems include, but are not limited to, direct dial tone devices, audible alarm and proprietor alarms. Devices which are not designed or used to evoke a police 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.

Appellant means a person who perfects an appeal pursuant to this chapter.

Applicant means a person, firm or corporation who files an application for permit as provided for in this chapter.

Audible Alarm means a device designed for the detection of an intrusion on premises which generates an audible sound on the premises when it is actuated.

City means the City of Lodi.

Day means a calendar day.

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.

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. False alarms shall not include alarms caused by acts of God, the malfunction of telephone lines, circuits or other causes which are beyond control of the owner or lessee of the alarm system.

_____. Permit for Alarm System Required. No person shall install or use an alarm system without first

obtaining an alarm permit issued by the City of Lodi in accordance with the provisions of this chapter.

_____. Application for Permit. Application for an alarm permit shall be filed with the Finance Director on forms provided by the City, and the applicant shall, at the time of application, pay the fee established by resolution of the City Council. The application shall be signed and verified by the owner or lessee of the alarm system for which the permit is requested, and the application shall contain such information as may be required by the City Manager in order to ensure that the permit is issued in accordance with the provisions of this chapter. Permits provided for in this chapter shall be issued by the Finance Director and shall be non-transferable.

_____. Application for Alarm Permit - Investigation. Upon receiving an application from any person for an alarm permit, the City Manager 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 Finance Director shall cause a Permit to be issued. A commercial alarm permittee may be allowed a direct connection to the City of Lodi Police Department Alarm System, provided facilities are available for direct connection. Each commercial alarm permit holder whose system directly connects with the Lodi Police Department shall pay to the City on or before July 1st of each year, a fee set forth by resolution of the City Council.

_____. Suspension and Revocation of Permits.

An alarm permit may be suspended and/or revoked as follows:
(a) If, after investigation, the Chief of Police determines that the permittee has violated any provision of this chapter, has violated any rules and regulations promulgated by the Chief of Police pursuant to authority granted by this chapter, or fails to pay a false alarm penalty as provided in Section _____, the Chief of Police shall send to the permittee, by registered 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 determination of the Chief of Police to revoke the permit to the City Manager, as provided in Section _____ of the City of Lodi Municipal Code, and that failure of the permittee to remedy the violation or violations specified in the notice of revocation within said fifteen-day 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 and the alarm system shall remain unused until a new permit is issued.

_____. Notice of Appeal. If any permittee is aggrieved by any action of the Chief of Police pursuant to the provisions of Section _____ of the Lodi Municipal Code, the applicant may appeal to the City Manager, by filing with the City Manager, a Notice of Appeal, setting forth the facts and circumstances regarding the appeal. This Notice of Appeal shall be filed not later than fifteen (15) days after service

of a notice of revocation as provided for in Section _____ of this chapter. The City Manager, or duly authorized representative, shall, within fifteen (15) days from the date on which the appeal is filed, hold a hearing, consider all relevant evidence produced by the alarm permittee, the Chief of Police or his representative, and any other interested parties, make findings and determine the merits of the appeal. The City Manager, or his duly authorized representative, may affirm, overrule or modify the decision of the Chief of Police and the decision of the City Manager, or his duly authorized representative, shall be final.

_____. False Alarm Penalty. When emergency messages, signals, or notices are received by the Police Department that evidence a failure to obtain a permit or comply with any other requirement under this article, the Chief of Police is authorized to demand that the owner or lessee of the alarm system initiating such message, signal or notice, or his representative, disconnect the alarm system until it is made to comply with said requirements.

Any person who maintains, uses or possesses an alarm, 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, pursuant to an investigation conducted by the Chief of Police, shall pay a false alarm penalty to the City of Lodi, as follows:

(a) For the third false alarm within a one-year period, permittee shall pay a \$50.00 false alarm penalty; (b) For the fourth false alarm within a one-year period, permittee shall pay a \$100.00 false alarm penalty; (c) For the fifth and each subsequent false alarm within a one-year period, the permittee shall pay a \$125.00 false alarm penalty.

In the event that permittee sustains five false alarms within a 12-month period, the Chief of Police, in addition to imposing the false alarm penalties provided herein, shall commence revocation proceedings, as provided for by Section _____ and shall revoke the permit within the time period provided in that Chapter, should permittee fail to demonstrate, to the satisfaction of the Chief of Police, that the alarm system is in good working order.

Failure to pay false alarm penalties as provided herein shall be grounds for revocation of the permit. The permittee has the right of appeal as specified in Section _____, with respect to penalties imposed by the Chief of Police for false alarms, pursuant to the provisions of this Chapter.

_____. Alarm System Standards and Regulations.

All alarm systems and appurtenant equipment installed within the City shall meet or exceed the highest standards of the industry and those standards which may hereafter be established by the City. The City reserves the right to inspect all systems installed within the City.

_____ . Alarm Requirements. The alarm permittee shall supply on his application for permit the names, addresses and phone numbers of the selling or installing alarm company, or if the permittee is not under a service contract with an alarm business, at least two persons to call in event of an emergency. In the event the names, addresses and phone numbers change, the permittee shall supply the changes within twenty days of the change.

_____ . Automatic Shutoff Requirements-Audible Alarms. All audible alarm systems shall include a device which will limit the generation of the audible sound of the system to not longer than thirty minutes after activation when the alarm system is protecting a residential structure and sixty minutes when the alarm system is protecting a commercial structure. Said systems, however, shall include an automatic resetting device which shall cause the subject system to be re-armed upon automatic shutoff.

_____ . Delay Device Requirements. All burglary detection alarm systems that directly transmit a signal to the police facility shall include a device which will provide a minimum of a thirty-second delay of the original transmission and activate a signal immediately in such a manner as to be perceptible to a person lawfully entering, leaving or occupying the premises. Such a device is intended to provide an opportunity for the person having lawful control of the

alarm system to terminate its operation after activation but prior to the transmission of a false alarm.

_____. Power Supply. An alarm system shall be supplied with an uninterruptible power supply in such a manner that the failure or interruption of the normal utility electric service will not activate the alarm system. The backup power supply must be capable of at least four hours of operation.

_____. Testing Alarm. Permittees shall notify the City of Lodi Police Department emergency equipment dispatcher prior to any service, test, repair, maintenance, adjustment, alterations, or installations of systems which would normally result in a police response, which might activate a false alarm. Any alarm activated where such prior notice has been given shall not constitute a false alarm.

_____. Prohibitions. It shall be unlawful to install or use an alarm system which, upon activation, emits a sound similar to sirens in use on emergency vehicles or for civil defense purposes.

_____. Fees. Fees prescribed heretofore in this ordinance shall be in addition to any other lawful fees imposed by the City of Lodi for doing or conducting business within the City of Lodi.

_____. Limitation On Liability. The City of Lodi 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 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.

_____. Criminal Penalties. Any person who violates the provisions of the part, shall be guilty of a misdemeanor.

_____. Application of Chapter. Any person who, on the effective date of this ordinance, 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 three (3) months after the effective date of this ordinance.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This Ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation, printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

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_____. Prohibitions. It shall be unlawful to install or use an alarm system which, upon activation, emits a sound similar to sirens in use on emergency vehicles or for civil defense purposes.

_____. Fees. Fees prescribed heretofore in this ordinance shall be in addition to any other lawful fees imposed by the City of Lodi for doing or conducting business within the City of Lodi.

_____. Limitation On Liability. The City of Lodi 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 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.

----- . Criminal Penalties. Any person who violates the provisions of the part, shall be guilty of a misdemeanor.

----- . Application of Chapter. Any person who, on the effective date of this ordinance, 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 three (3) months after the effective date of this ordinance.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This Ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation, printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this day of

Name _____
MAYOR

Attest:

ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi,
do hereby certify that Ordinance No. was
introduced at a regular meeting of the City Council of
the City of Lodi held and was
thereafter passed, adopted and ordered to print at a
regular meeting of said Council held
by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. was
approved and signed by the Mayor on the date of its
passage and the same has been published pursuant to
law.

ALICE M. REIMCHE
City Clerk

Approved as to form

RONALD M. STEIN
City Attorney

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LODI ESTABLISHING AND PROVIDING
FOR THE REGULATION OF BURGLARY AND ROBBERY ALARM SYSTEMS

The City Council of the City of Lodi DOES ORDAIN as follows:

SECTION 1. A new chapter is hereby added to the City of Lodi Municipal Code as follows:

CHAPTER _____ . ALARM SYSTEMS.

Sections:

- _____ Definitions
- _____ Permit for Alarm System Required
- _____ Application for Permit
- _____ Application for Alarm Permit - Investigation
- _____ Suspension or Revocation of Permits
- _____ Notice of Appeal
- _____ False Alarm Penalty
- _____ Alarm System Standards and Regulations
- _____ Alarm Requirements
- _____ Automatic Shutoff Requirements-Audible Alarms
- _____ Delay Device Requirements
- _____ Power Supply
- _____ Testing Alarm
- _____ Prohibitions
- _____ Fees

_____ Limitation on Liability
_____ Criminal Penalties
_____ Application of Chapter

_____. DEFINITIONS. For the purpose of this Chapter, certain words and phrases shall be construed herein as set forth in this section unless it is apparent from the context that a different meaning is intended.

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, or facility.

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 systems in or on any building, structure or facility.

Alarm System means any mechanical or electrical device which is designed or used for the detection of intrusion into a building, structure or facility, or for alerting others of an event within a building, structure or facility, which event causes a local audible alarm or transmission of a signal or message. Alarm systems include, but are not limited to, direct dial tone devices, audible alarm and proprietor alarms. Devices which are not designed or used to evoke a police 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.

Appellant means a person who perfects an appeal pursuant to this chapter.

Applicant means a person, firm or corporation who files an application for permit as provided for in this chapter.

Audible Alarm means a device designed for the detection of an intrusion on premises which generates an audible sound on the premises when it is actuated.

City means the City of Lodi.

Day means a calendar day.

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.

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. False alarms shall not include alarms caused by acts of God, the malfunction of telephone lines, circuits or other causes which are beyond control of the owner or lessee of the alarm system.

_____. Permit for Alarm System Required. No person shall install or use an alarm system without first

obtaining an alarm permit issued by the City of Lodi in accordance with the provisions of this chapter.

_____. Application for Permit. Application for an alarm permit shall be filed with the Finance Director on forms provided by the City, and the applicant shall, at the time of application, pay the fee established by resolution of the City Council. The application shall be signed and verified by the owner or lessee of the alarm system for which the permit is requested, and the application shall contain such information as may be required by the City Manager in order to ensure that the permit is issued in accordance with the provisions of this chapter. Permits provided for in this chapter shall be issued by the Finance Director and shall be non-transferable.

_____. Application for Alarm Permit - Investigation. Upon receiving an application from any person for an alarm permit, the City Manager 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 Finance Director shall cause a Permit to be issued. A commercial alarm permittee may be allowed a direct connection to the City of Lodi Police Department Alarm System, provided facilities are available for direct connection. Each commercial alarm permit holder whose system directly connects with the Lodi Police Department shall pay to the City on or before July 1st of each year, a fee set forth by resolution of the City Council.

_____. Suspension and Revocation of Permits.

An alarm permit may be suspended and/or revoked as follows:

(a) If, after investigation, the Chief of Police determines that the permittee has violated any provision of this chapter, has violated any rules and regulations promulgated by the Chief of Police pursuant to authority granted by this chapter, or fails to pay a false alarm penalty as provided in Section _____, the Chief of Police shall send to the permittee, by registered 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 determination of the Chief of Police to revoke the permit to the City Manager, as provided in Section _____ of the City of Lodi Municipal Code, and that failure of the permittee to remedy the violation or violations specified in the notice of revocation within said fifteen-day 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 and the alarm system shall remain unused until a new permit is issued.

_____. Notice of Appeal. If any permittee is aggrieved by any action of the Chief of Police pursuant to the provisions of Section _____ of the Lodi Municipal Code, the applicant may appeal to the City Manager, by filing with the City Manager, a Notice of Appeal, setting forth the facts and circumstances regarding the appeal. This Notice of Appeal shall be filed not later than fifteen (15) days after service

of a notice of revocation as provided for in Section _____ of this chapter. The City Manager, or duly authorized representative, shall, within fifteen (15) days from the date on which the appeal is filed, hold a hearing, consider all relevant evidence produced by the alarm permittee, the Chief of Police or his representative, and any other interested parties, make findings and determine the merits of the appeal. The City Manager, or his duly authorized representative, may affirm, overrule or modify the decision of the Chief of Police and the decision of the City Manager, or his duly authorized representative, shall be final.

_____. False Alarm Penalty. When emergency messages, signals, or notices are received by the Police Department that evidence a failure to obtain a permit or comply with any other requirement under this article, the Chief of Police is authorized to demand that the owner or lessee of the alarm system initiating such message, signal or notice, or his representative, disconnect the alarm system until it is made to comply with said requirements.

Any person who maintains, uses or possesses an alarm, 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, pursuant to an investigation conducted by the Chief of Police, shall pay a false alarm penalty to the City of Lodi, as follows:

(a) For the third false alarm within a one-year period, permittee shall pay a \$50.00 false alarm penalty; (b) For the fourth false alarm within a one-year period, permittee shall pay a \$100.00 false alarm penalty; (c) For the fifth and each subsequent false alarm within a one-year period, the permittee shall pay a \$125.00 false alarm penalty.

In the event that permittee sustains five false alarms within a 12-month period, the Chief of Police, in addition to imposing the false alarm penalties provided herein, shall commence revocation proceedings, as provided for by Section _____ and shall revoke the permit within the time period provided in that Chapter, should permittee fail to demonstrate, to the satisfaction of the Chief of Police, that the alarm system is in good working order.

Failure to pay false alarm penalties as provided herein shall be grounds for revocation of the permit. The permittee has the right of appeal as specified in Section _____, with respect to penalties imposed by the Chief of Police for false alarms, pursuant to the provisions of this Chapter.

_____. Alarm System Standards and Regulations.

All alarm systems and appurtenant equipment installed within the City shall meet or exceed the highest standards of the industry and those standards which may hereafter be established by the City. The City reserves the right to inspect all systems installed within the City.

_____. Alarm Requirements. The alarm permittee shall supply on his application for permit the names, addresses and phone numbers of the selling or installing alarm company, or if the permittee is not under a service contract with an alarm business, at least two persons to call in event of an emergency. In the event the names, addresses and phone numbers change, the permittee shall supply the changes within twenty days of the change.

_____. Automatic Shutoff Requirements-Audible Alarms. All audible alarm systems shall include a device which will limit the generation of the audible sound of the system to not longer than thirty minutes after activation when the alarm system is protecting a residential structure and sixty minutes when the alarm system is protecting a commercial structure. Said systems, however, shall include an automatic resetting device which shall cause the subject system to be re-armed upon automatic shutoff.

_____. Delay Device Requirements. All burglary detection alarm systems that directly transmit a signal to the police facility shall include a device which will provide a minimum of a thirty-second delay of the original transmission and activate a signal immediately in such a manner as to be perceptible to a person lawfully entering, leaving or occupying the premises. Such a device is intended to provide an opportunity for the person having lawful control of the

alarm system to terminate its operation after activation but prior to the transmission of a false alarm.

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_____. Fees. Fees prescribed heretofore in this ordinance shall be in addition to any other lawful fees imposed by the City of Lodi for doing or conducting business within the City of Lodi.

_____. Limitation On Liability. The City of Lodi 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 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.

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April 27, 1984

To: Honorable Mayor and Council
Staff

From: City Attorney

Enclosed herewith, please find a rough draft of a new ordinance for Alarm Systems within the City. I would appreciate your reviewing this draft and letting me have your comments on same.

Thank you.



RONALD M. STEIN
City Attorney

vc

enclosure

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LODI ESTABLISHING AND PROVIDING
FOR THE REGULATION OF BURGLARY AND ROBBERY ALARM SYSTEMS

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Delta Safe Lock & Key Service

149 E. Alpine Ave., Stockton, CA 95204 209/944-5622

*Copy To Alice
Lerry
Send Alice to
Remove from Agard
OC*

August 1, 1984

Mr. Ron Stein, City Attorney
CITY OF LODI
P.O. Box 320
Lodi, California 95240

RE: Proposed Alarm Ordinance

Dear Ron,

We have just received your proposed ordinance and cover letter dated July 30, 1984.

As you know, we are members of the San Joaquin County Alarm Association. I'm quite sure the association will be interested in commenting on the ordinance, as we have recently with Stockton. However, such a response will take more time than the 2 weeks the council has allowed.

This is an important ordinance effecting not only our industry, but the citizens of Lodi, The City, and the police department. It is my suggestion that a committee be formed, represented by all interested groups, to resolve any questions that may arise.

I therefore request that any action on this matter be tabled until all parties concerned can properly review and comment on this important issue.

Sincerely

Tom Mayfield

Tom Mayfield
DELTA SAFE, LOCK & KEY SERVICE