

THIS ORDINANCE IS EFFECTIVE FEBRUARY 1, 2008

**AN ORDINANCE AMENDING THE RENO MUNICIPAL CODE , TITLE 8,
ENTITLED “PUBLIC PEACE, SAFETY AND MORALS”, CHAPTER 8.06,
“OFFENSES AGAINST PUBLIC ADMINISTRATION”, SECTION
8.06.055, “ALARM FEES” TO ESTABLISH ALARM PERMITS, A
REGULATORY SYSTEM FOR ADMINISTERING AND MANAGING THE
CITY’S RESPONSE TO ALARMS, FINES FOR NON-COMPLIANCE, AND AN
APPEAL PROCESS, AND PROVIDING OTHER MATTERS PROPERLY
RELATING THERETO.**

Sec. 8.06.055. Alarm systems; regulation and response.

(a) Preamble. The Reno City Council finds and declares that:

- (1) The vast majority of emergency alarms to which law enforcement officials respond are false alarms, which are reported to police by alarm companies.
- (2) Most false alarms are the result of improper maintenance or improper or careless use of an alarm system.
- (3) Alarm companies are able to control the number of false alarms to which law enforcement must respond by appropriately and diligently screening alarms before calling them in to police.
- (4) The public and the police are subjected to needless danger when the police are called to respond to false alarms.
- (5) Police officers responding to false alarms are not available to carry out other police duties.
- (6) In the interest of using limited law enforcement resources most effectively and efficiently, the number of false alarms can and must be reduced.
- (7) The purpose of this section is to reduce the dangers and inefficiencies associated with false alarms and to encourage alarm companies and property owners to maintain the operational reliability, properly use alarm systems, and to reduce or eliminate false alarm dispatch requests.
- (8) This section governs systems intended to summon police response, establishes fees for violations, establishes a system of administration, sets conditions for the suspension of police response and establishes a public education and training program.

(b) Definitions.

- (1) *Alarm administrator* means the person designated by the chief of police to administer the provisions of this section.
- (2) *Alarm installation company* means a person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving or installing an alarm system at an alarm site for compensation, and includes individuals or firms that install and service alarm systems used in a private business or proprietary facility.

- (3) *Alarm dispatch request* means a notification to the police department that an alarm, either manual or automatic, has been activated at a particular alarm site.
- (4) *Alarm Response Manager (ARM)* means a person designated by an Alarm Installation Company to handle alarm issues for the company and act as the primary point of contact for the jurisdiction's Alarm Administrator.
- (5) *Alarm permit* means a permit issued by the alarm administrator to an alarm user which authorizes the operation of an alarm system.
- (6) *Alarm site* means a location served by one or more alarm systems. In a multi-unit building or complex, each unit shall be considered a separate alarm site if served by a separate alarm system. In a single unit building that houses two or more separate businesses with separate alarm systems, each business will be considered a separate alarm site.
- (7) *Alarm system* means a device or series of devices which emit or transmit an audible or remote visual or electronic alarm signal which is intended to summon law enforcement response. The term includes hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, and includes local alarm systems, but does not include an alarm installed in a motor vehicle or on one's person. *Alarm system* does not include a system which will not emit a signal either audible or visible from the outside of the building or residence but is designed solely to alert the occupants of a building or residence.
- (8) *Alarm user* means any person who has contracted for monitoring, repair, installation or maintenance service for an alarm system from an alarm installation company or monitoring company, or who owns or operates an alarm system which is not monitored, maintained or repaired under agreement.
- (9) *Alarm user awareness class* means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.
- (10) *Arming station* means a device that controls an alarm system.
- (11) *Automatic voice dialer* means any electronic, mechanical, or other device which, when activated, is capable of being programmed to send a prerecorded voice message to a law enforcement agency requesting a police dispatch to an alarm site.
- (12) *Business license* means a business license issued by the City of Reno's business license division to an alarm installation company or monitoring company to sell, install, monitor, repair, or replace alarm systems. The term does not include a security alarm license issued by the police department or a license issued by the State Fire Marshal for fire alarm systems.

- (13) *Cancellation* means the termination of a police response to an alarm site after dispatch request is made but before an officer is dispatched.
- (14) *Conversion* means the transaction or process by which one alarm installation company or monitoring company begins the servicing or monitoring of a previously unmonitored alarm system or an alarm system that was previously serviced or monitored by another alarm company.
- (15) *Duress Alarm* means a silent alarm system signal generated by the entry of a designated code into an arming station in order to signal that the alarm user is being forced to turn off the system and requires an officer's response.
- (16) *False alarm* means an alarm dispatch request to the police department which results in the responding officer finding no evidence of a criminal offense or attempted criminal offense after completing an investigation of the alarm site. It also includes an alarm dispatch request that is cancelled after an officer is dispatched, whether or not the officer has arrived.
- (17) *Holdup alarm* means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress.
- (18) *Intrusion alarm* means an alarm signal generated by the activation of any system, device or mechanism on or near the premises intended to signal when an intrusion of any kind has occurred. Any alarms other than *holdup, duress or robbery* alarms are categorized as *intrusion* alarms, to include glass-break, burglar, burglary, general, perimeter, yard or any other similar alarm.
- (19) *Local alarm system* means an unmonitored alarm system that annunciates an alarm only at the alarm site.
- (20) *Monitoring* means the process by which a monitoring company receives signals from an alarm system and relays an alarm dispatch request to the police department.
- (21) *Monitoring company* means a person in the business of providing monitoring services.
- (22) *One plus duress alarm* means the manual activation of a silent alarm signal by entering a code that adds one number to the last digit of the normal arm/disarm code (e.g., normal code = 1234, one plus duress code = 1235).
- (23) *Panic alarm* means an alarm system signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring an officer's response.

- (24) *Person* means an individual, corporation, limited liability company, partnership, association, organization or similar entity.
- (25) *Police or police department* means the Reno Police Department.
- (26) *Protective or reactive alarm system* means an alarm system that produces a temporary disability or sensory deprivation through use of chemical, electrical, sonic or other means, including use of devices that obscure or disable a person's vision.
- (27) *Responsible party* means a person capable of appearing at the alarm site upon request who has access to the alarm site, the code to the alarm system and the authority to approve repairs to the alarm system.
- (28) *Robbery alarm* means an alarm signal generated by the manual or automatic activation of a device, or any system, device or mechanism on or near the premises intended to signal that a robbery or other crime is in progress, and that a person is in need of immediate police assistance in order to avoid bodily harm, injury or death. The term has the same general meaning as "holdup alarm."
- (29) *Security alarm license* means the license issued by the police department to an alarm installation company or monitoring company to sell, install, monitor, repair or replace alarm systems. The term does not include a business license issued by the City of Reno's business license division or a license issued by the State Fire Marshal for fire alarm systems.
- (30) *SIA Control Panel Standard CP-01* means the ANSI – American National Standard Institute-approved Security Industry Association – SIA CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce the incidence of false alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations are marked as follows: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction."
- (31) *Takeover* means the transaction or process by which an alarm user takes over control of an existing alarm system which was previously controlled by another alarm user.
- (32) *Verify* means an attempt by the monitoring company, or its representative, to contact the alarm site and/or alarm user, or both, by telephone or other electronic means to determine whether an alarm signal is valid before making an alarm dispatch request.

(33) *Zones* means division of devices into which an alarm system is divided to indicate the general location from which an alarm system signal is transmitted.

(c) Administration; Funding; Increases in fees; Annual Evaluation.

(1) Responsibility for administration of this section is vested with the chief of police.

(2) The chief of police shall designate an alarm administrator to carry out the duties and functions described in this section.

(3) The fees set forth in this section may only be increased by a duly-adopted resolution of the City Council. For purposes of this subsection, "fees" include any type or class of fee and includes late fees and penalties.

(4) The alarm administrator shall conduct an annual evaluation and analysis of the effectiveness of this section and identify and implement system improvements as warranted.

(d) Alarm sites must have a permit.

(1) An alarm user shall not operate, or cause to be operated, any alarm system without a valid alarm permit. A separate alarm permit is required for each alarm site having a distinct address or business name. The initial alarm permit fee must be paid by the alarm user to the alarm administrator within thirty (30) days after any alarm system installation or alarm system takeover.

(2) Alarm Fees. The fees charged pursuant to this title shall be contained in the fee schedule which shall be maintained by the police department, and amended upon approval of the City Council.

The City shall offer a rate for senior citizens, sixty (60) or older, for residential locations only. In order to qualify for the senior rate, applicants must provide proof of age, be listed as the property owner or lessee, and must have the alarm agreement in their name.

(3) Late fee. Alarm users who fail to obtain and/or make payment for an alarm permit within 30 days after notification will be assessed a late fee.

(4) Refunds. No refund of a permit or permit renewal fee will be made.

(5) Existing alarm systems. Any alarm system which was installed before the effective date of this ordinance must be registered by the alarm user within ninety (90) days after that date. An alarm installation company or monitoring company shall, within thirty (30) days after being notified in writing from the alarm administrator, provide a list

of existing alarm users in the city, including name, address, billing address, telephone number and the telephone number of the law enforcement agency for that jurisdiction, to the alarm administrator.

(6) New alarm systems. Any alarm installation company that installs an alarm system on premises within the city after the effective date of this ordinance must notify the Alarm administrator within ten (10) days after the date of installation and provide the name, address, billing address, telephone number and the telephone number of the law enforcement agency for that jurisdiction of the alarm user and a copy of the Customer False Alarm Prevention Checklist. The failure to notify in accordance with the terms of this subsection shall result in a \$100.00 administrative penalty against the alarm installation company.

(7) Upon receipt of a completed alarm permit application form and the alarm permit fee, the alarm administrator shall issue a permit to the applicant unless:

a. The applicant has failed to pay a false alarm fee or fine assessed under RMC 8.06.055(1); or

b. An alarm permit for the alarm site has been suspended, and the violation causing the suspension has not been corrected.

(8) Upon receipt of the permit application form and fee, the alarm administrator shall issue a permit to the alarm user which is valid for a one-year period. Renewal permits are valid for one year.

(9) Government entities, including but not necessarily limited to the City of Reno, Washoe County and the Washoe County School District, must obtain permits for all alarm systems on property under their control within the corporate boundaries of the City of Reno, but are exempt from payment of permit and renewal fees.

(e) Permit application; Contents. An application for an alarm permit must be on a form provided by the police department and must contain the following information:

(1) The name, complete address, including apartment or suite number, and telephone numbers of the person who will be the holder of the permit and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this subsection;

(2) The physical address and classification of the alarm site as either residential (includes apartment, condo, mobile home, etc.) or commercial;

- (3) The classification of the alarm system (i.e. intrusion, holdup, duress, or panic alarm) for each alarm system located at the alarm site, and, for each classification, whether the alarm is audible or silent;
- (4) The applicant's mailing address, if different from the address of the alarm site;
- (5) Any dangerous or special conditions present at the alarm site such as dogs or other animals or any type of protective or reactive alarm system;
- (6) The names and telephone numbers of at least two individuals who are able and have agreed to:
 - a. Receive notification of an alarm system activation at any time;
 - b. Respond to the alarm site at any time; and
 - c. Provide access to the alarm site and deactivate the alarm system, if necessary.
- (7) The type of business conducted at a commercial alarm site;
- (8) A written certification from the alarm user setting forth the following:
 - a. The date of installation, conversion or takeover of the alarm system, whichever is applicable;
 - b. The name, address, and telephone number of the alarm installation company or companies performing the alarm system installation, conversion or takeover and of the alarm installation company responsible for providing repair service to the alarm system;
 - c. The name, address, and telephone number of the monitoring company if different from the alarm installation company;
 - d. That a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, have been left with the applicant by the alarm installation company; and
 - e. That the alarm installation company has trained the applicant in proper use of the alarm system, including instructions on how to avoid false alarms.
- (9) An acknowledgement that the police response may be influenced by factors including, but not limited to, the availability of officers, priority of calls, traffic conditions, emergency conditions and staffing levels.

Any false statement of a material fact made by an applicant for the purpose of obtaining an alarm permit is sufficient cause for refusal to issue a permit or revocation of an existing permit.

(f) Term of alarm permit; transfer of permit prohibited.

(1) An alarm permit cannot be transferred to another person or alarm site. An alarm user shall inform the alarm administrator of any change to the information listed on the alarm permit application within thirty (30) business days after such change. Exceptions may be made in the discretion of the alarm administrator when the transfer proposed is among members of the family of the original permit holder or successors in interest to the property for which the permit has been issued.

(2) An alarm permit shall expire one (1) year after the date of issuance, and must be renewed annually by submitting a renewal application and a renewal fee to the alarm administrator. The alarm administrator shall notify each alarm user of the need to renew thirty (30) days prior to the expiration of the registration. It is the responsibility of the alarm user to submit a renewal application prior to the expiration date. A late fee shall be assessed if the renewal is more than thirty (30) days late.

(g) Duties of alarm users.

(1) An alarm user shall:

a. Maintain the alarm site and the alarm system in a manner that will minimize or eliminate false alarms;

b. Make every reasonable effort to arrive at the alarm system's location within 30 minutes after being requested by the monitoring company or law enforcement agency in order to:

1. Deactivate an alarm system;
2. Provide access to the alarm site; and/or
3. Provide alternative security for the alarm site.

c. Not activate an alarm system for any reason other than an occurrence of an event that the alarm system was intended to report.

(2) No person shall operate or cause to be operated any automatic dialing device which, when activated, uses a telephone device or attachment to automatically dial a telephone line leading into the police department or the city and then transmit any pre-recorded message or signal.

(3) An alarm user shall keep a set of written operating instructions for each alarm system at each alarm site.

(4) All alarm users shall agree with their alarm installation company or monitoring company to go through an "acclimation period" for the first seven (7) days after installation of an intrusion alarm system, during which time the alarm installation company or monitoring company will have no obligation to respond to, nor will it respond to, any alarm signal from the alarm site, or make an alarm dispatch request to law enforcement, even if the alarm signal is the result of an actual alarm event. Exceptions to the "acclimation period" of non-response can be made by the police department in special circumstances, including but not limited to, domestic violence and stalking.

(h) Audible Alarms; Restrictions. After the effective date of this ordinance, it is a violation of this section for any person to operate an alarm system in the City of Reno that has a siren, bell or other signal audible from any property adjacent to the alarm site that sounds for longer than ten (10) consecutive minutes after the alarm is activated, or that repeats the ten (10) minute alarm cycle more than three consecutive times without resetting. Violators will be fined in accordance with the penalties for false alarms.

(i) Duties of alarm installation companies and monitoring companies.

(1) Each Alarm Installation Company and Alarm Monitoring Company must designate one individual as the Alarm Response Manager (ARM) for the company. The individual designated as the ARM must be knowledgeable of the provisions of this section, as well as have the knowledge and authority to deal with false alarm issues and respond to requests from the alarm administrator. The name, contact number, and email address of the ARM must be provided to the alarm administrator. Failure to comply will result in the suspension of the company's security alarm license.

(2) Upon the installation or activation of an alarm system, the alarm installation company shall distribute to the alarm user information summarizing:

a. The applicable law relating to false alarms, including the potential for penalties and revocation or suspension of an alarm permit;

b. How to prevent false alarms; and

c. How to operate the alarm system.

(3) After the effective date of this ordinance, alarm installation companies shall not program alarm systems so that they are capable of sending one plus duress alarms. Monitoring companies may continue to report one plus duress alarms received from

alarm systems programmed with one plus duress alarms installed prior to the effective date of this ordinance.

(4) Alarm installation companies shall install a device to activate a holdup alarm which is a dual action button, a button with time-delayed activation, or a single pull device on all systems installed after the effective date of this ordinance.

(5) Ninety days after the effective date of this ordinance, an alarm installation company shall, on new installations, use only alarm control panel(s) which meet ANSI/SIA CP-01-Control Panel Standard - Features for False Alarm Reduction.

(6) An alarm company shall not install any automatic dialing device which, when activated, uses a telephone device or attachment to automatically dial a telephone line leading into the police department or the city and then transmit any pre-recorded message or signal.

(7) After completion of the installation of an alarm system, an employee of the alarm installation company shall review with the alarm user the false alarm prevention checklist or an equivalent checklist approved by the alarm administrator.

(8) A monitoring company shall not make an alarm dispatch request to an intrusion alarm signal during the first seven-day "acclimation period" after an intrusion alarm system installation. Exceptions to the "acclimation period" of non-response can be made by the police department in special circumstances, including but not limited to, domestic violence and stalking.

(9) A monitoring company shall:

a. Report alarm signals by using telephone numbers designated by the alarm administrator.

b. Employ Enhanced Call Verification by attempting to verify by telephone the validity of every alarm signal, except a duress or holdup alarm activation, before requesting an officer's response to an alarm system signal. Verification before requesting officer dispatch also requires that a second telephone call be made to a different phone number if the first attempt fails to reach an alarm user who can determine whether an alarm signal is valid. Names and telephone numbers of those persons contacted or attempted to be contacted must be provided to the alarm administrator or police department upon request.

c. Communicate alarm dispatch requests to the police department in a manner and form determined by the alarm administrator.

- d. Communicate cancellations to the police department in a manner and form determined by the alarm administrator.
- e. Ensure that all alarm users of alarm systems equipped with a duress, holdup or panic alarm are given adequate training as to the proper use of the alarm.
- f. Communicate any available information (north, south, front, back, floor, etc.) about the location of an alarm signal as part of an alarm dispatch request.
- g. Communicate the type of alarm activation (silent or audible, interior or perimeter), if available, on any alarm dispatch request.
- h. Notify the City of Reno Emergency Communications (Dispatch) of any alarm site that it knows, or reasonably should know, is fitted with a protective-reactive device. During any alarm at such a site, a responsible party must be contacted and confirm that he or she will respond to the alarm site to disarm the device. In all cases where a protective-reactive device is present at an alarm site, the police dispatch request shall include a warning for officers not to enter the alarm site until the responsible party is present and has disarmed the device.
- i. Prior to making an alarm dispatch request, attempt to notify the alarm user to send a responsible party to the alarm site, in order to:
 - 1. Deactivate an alarm system;
 - 2. Provide access to the alarm site; and/or
 - 3. Provide alternative security for the alarm site.
- j. After an alarm dispatch request, promptly advise the police department if the monitoring company knows that the alarm user or a responsible party is on the way to the alarm site;
- k. Each monitoring company must maintain, for a period of at least one year after the date of an alarm dispatch request, all records relating to the alarm dispatch request. Records must include the name, address and telephone number of the alarm user, each alarm system zone activated, the time of alarm dispatch request and evidence of all attempts to verify. The alarm administrator may request copies of such records for any individual alarm user. If the request is made within sixty (60) days after an alarm dispatch request, the monitoring company shall furnish requested records within three (3) business days after receiving the request. If the records are requested between sixty (60) days and one (1) year after an alarm dispatch request, the monitoring company shall furnish the requested records within thirty (30) days after receiving the request. Failure to comply with this subsection will result in a \$50.00 fine.

1. Each monitoring company shall, upon request, immediately provide the police department with the names and phone numbers of the alarm user's emergency contacts at the time of each alarm dispatch request.

(10) Existing Accounts. On or before the first day of January of each year, an alarm installation company or monitoring company shall provide the alarm administrator with a complete list of active customers whose premises are located within the city, to assist the alarm administrator with creating and maintaining tracking data. The customer information must be provided in a format the alarm company is capable of producing and must include the following:

1. Customer name;
2. Customer billing address;
3. Customer telephone number;
4. Alarm site address; and
5. Alarm company license number.

(11) Purchased Accounts. An alarm installation company or monitoring company that purchases any alarm system account from another company shall notify the alarm administrator of such purchase and shall provide to the alarm administrator, within thirty (30) days from the date of acquisition, a complete list of the acquired customers, in a format the alarm company is capable of producing, that includes the following:

1. Customer name;
2. Customer billing address;
3. Customer telephone number;
4. Alarm site address; and
5. Alarm company license number.

(12) The customer lists described in subsections (9) and (10) above are proprietary and confidential information and will not be released to anyone absent a court order.

(13) Failure to provide customer lists to the alarm administrator, as required in subsections (9) and (10) above, will result in a fine of \$50.00 per working day until the alarm installation company or monitoring company complies with the requirement. Failure to comply after ten (10) working days will result in the suspension of the company's security alarm license.

(14) Alarm installation companies or alarm monitoring companies whose security alarm licenses have been suspended as a result of violations of the duties specified in this subsection may seek reinstatement upon compliance with the requirements herein. The city will assess reinstatement fees, if users have been notified of the suspension in accordance with subsection j(4) below.

(j) Special licensing of alarm installation and monitoring companies.

(1) Every alarm installation company and every alarm monitoring company shall obtain a City of Reno security alarm license from the police department and pay an annual fee to the City of Reno. Failure to pay the annual fee within thirty (30) days after notice requires the payment of a late fee.

(2) The security alarm license required by this section must be obtained prior to the issuance or renewal of a business license for the period of time covered by the security alarm license.

(3) The police department will not respond to any alarm dispatch request from any alarm installation company or monitoring company that does not possess a current, valid security alarm license issued pursuant to this section and a current, valid City of Reno business license.

(4) The alarm administrator shall notify all known alarm users subscribing to an unlicensed alarm installation company or an unlicensed alarm monitoring company that the company is unlicensed and that the police department will no longer respond to the user's alarms.

(5) The fee imposed by this section is in addition to the business license fee and all other fees levied by the City.

(k) Duties and authority of the alarm administrator.

(1) The alarm administrator shall:

a. Designate the manner and form of alarm dispatch requests and the telephone numbers to be used for such requests; and

b. Establish a procedure to accept cancellation of alarm dispatch requests.

(2) The alarm administrator shall establish a procedure to acquire and record information on alarm dispatch requests including the following information:

a. Identification of the alarm site;

- b. The date and time alarm dispatch request was received, including the name of the monitoring company and the monitoring operator's name or number;
- c. Date and time of an officer's arrival at the alarm site;
- d. The alarm zone and zone description, if available;
- e. Name of alarm user's personal representative present at the alarm site, if any;
- f. Whether an officer was unable to locate the address of the alarm site; and
- g. The cause of the alarm signal, if known.

(3) The alarm administrator shall establish and implement a procedure to notify the alarm user of a false alarm. The notice shall include the following:

- a. The date and time of an officer's response to the false alarm; and
- b. A statement urging the alarm user to ensure that the alarm system is properly operated, inspected, and serviced in order to avoid false alarms and resulting false alarm fees.
- c. The false alarm fees incurred.

(4) The alarm administrator may require that a conference be held with an alarm user and the alarm installation company or monitoring company responsible for repairing or monitoring of the alarm system to review the circumstances of each false alarm. The conference may be held in person or through a conference telephone call, at the alarm administrator's discretion. Failure to participate will result in suspension of either the alarm permit, the security alarm license, or both as indicated by the facts of the case. Reinstatement after compliance will require payment of an additional permit fee for the alarm user or will be under the terms of subsection (i)(14) for alarm installation companies and monitoring companies.

(5) The alarm administrator may establish an alarm user awareness class. The alarm administrator may request the assistance of associations, alarm companies and law enforcement agencies in developing and implementing the class. The class shall inform alarm users of the problems created by false alarms and teach alarm users how to avoid creating false alarms.

(6) If a false holdup alarm has occurred and the alarm was triggered using a single action, non-recessed button, the alarm administrator may consider a waiver of the false alarm fee if action is taken by the alarm user to remove or replace the single action, non-recessed button.

(7) The alarm administrator will make a copy of this ordinance and/or an ordinance summary sheet available to each alarm user.

(l) False alarm fees.

(1) False Alarm Fees. An alarm user shall pay fees to the alarm administrator for police response to any false alarm. The fees charged pursuant to this title shall be contained in the fee schedule which shall be maintained by the police department, and amended upon approval of the City Council.

(2) If a false alarm fee is not paid within thirty (30) days after the invoice is mailed, a late fee will be imposed.

(3) Fees for False Alarms by Unregistered Alarm Systems. In addition to the fees set forth in subsections (1) and (2), a supplemental fee is hereby imposed upon any person operating an unregistered alarm system. The alarm administrator may waive this additional fee for an unregistered system if the alarm user submits an application for alarm registration within ten (10) business days after receiving notice of such violation.

(4) If cancellation of police response occurs prior to the police officer being dispatched, the response is not considered a false alarm for the purpose of fees, and no penalty will be assessed.

(5) The alarm administrator may waive a false alarm fee due to a history of false alarms that is identified as chronic equipment failure.

(6) The alarm installation company shall be assessed a fee if the officer responding to the false alarm determines that an on-site employee of the alarm installation company directly caused the false alarm. Such false alarms are not included in the total number of false alarms for the alarm user.

(7) A fee is hereby imposed against any monitoring company that fails to verify alarm system signals as required in subsection (i)(9)(b).

(8) A fee in the amount of \$200.00 is hereby imposed against an alarm installation company if the alarm administrator determines that an employee of the alarm installation company knowingly made a false statement concerning the inspection of an alarm site or the performance of an alarm system.

(9) Notice of the right of appeal under this ordinance will be included with notice of any penalty.

(m) Notice to alarm users of false alarms and suspension of police response.

(1) The alarm administrator shall notify the alarm user in writing after each false alarm. The notice shall include the amount of the fee for the false alarm, the fact that response will be suspended after the third false alarm during the permit year, (excluding duress, holdup and panic alarms) and a description of the appeals procedure available to the alarm user.

(2) The alarm administrator shall notify the alarm user and the alarm installation company or monitoring company in writing thirty (30) days before an alarm response is to be suspended. Suspension of alarm response does not apply to duress, robbery, holdup and panic alarms. The notice of suspension must also include the amount of the fine for each false alarm and a description of the appeals procedure available to the alarm user and the alarm installation company or monitoring company.

(n) Violation to make alarm dispatch request for suspended alarm site.

(1) The alarm administrator shall notify the police department of each alarm user whose intrusion alarm permit qualifies for suspension under this section. The alarm administrator shall suspend an intrusion alarm permit if it is determined that:

a. The alarm user has had three or more false intrusion alarms within one year after the date of issuance of their annual permit, except that the alarm administrator may waive a suspension of a permit upon receipt of documented work orders showing reasonable attempts to repair the alarm system. The alarm administrator may impose a one (1) week acclimation period upon reinstatement of the permit.

b. There is a false statement of a material fact in the application for a permit; or

c. The alarm user fails or refuses to pay a false alarm fee or late fee assessed under this section.

(2) It is a violation of this section for a person to operate an intrusion alarm system during the period in which the alarm permit is suspended. It is a violation of this section for a monitoring company to make an alarm dispatch request to an intrusion alarm site after the company has been notified by the alarm administrator that the permit for that alarm site has been suspended. The monitoring company must pay a \$50.00 fine to the alarm administrator for each such dispatch to an alarm site. If the penalty is not paid to the alarm administrator within 30 days, a late fee is hereby imposed on the monitoring company.

(3) Unless there is a separate indication that there is a crime in progress, Emergency Communications shall not dispatch an officer to an intrusion alarm site for which the alarm permit is suspended.

(4) If an intrusion alarm permit is reinstated, the police department may again suspend the permit if it is determined that two false alarms have occurred within 180 days after the reinstatement date. The exception set forth in paragraph (n)(1)(a) applies to any such suspension.

(5) This subsection applies only to intrusion alarm systems. Holdup alarms, robbery alarms and panic alarms are not subject to suspension.

(o) Appeals of determinations regarding alarm permits and fees.

(1) If the alarm administrator assesses a fee, suspends an alarm permit or denies the issuance, renewal or reinstatement of an alarm permit, the alarm administrator shall send written notice of the action and a statement of the right to appeal to the affected applicant or alarm user and the alarm installation company or monitoring company.

(2) The alarm user, alarm installation company or alarm monitoring company may appeal any action described in (1) above to the chief of police or designee by setting forth in writing the reasons for the appeal and delivering the appeal to the chief of police or designee within twenty (20) business days after receipt of notice of the action. Failure to deliver the appeal within that time period is a waiver of the right to appeal.

(3) The procedure for an appeal to the chief of police or designee is as follows:

a. The applicant, alarm user, alarm installation company or monitoring company may file a written request for appeal by paying an appeal fee of \$25.00 to the police department and setting forth the reasons for the appeal. The appeal must be entitled "Appeal from Alarm Administrator's Action." Appeal fees will be returned to the appealing party if the appeal is successful. Upon good cause shown, the alarm administrator may, in the exercise of discretion, waive the appeal fee for residential alarm users.

b. The chief of police or designee shall conduct a recorded hearing within thirty (30) days after receipt of the request for review and shall consider the evidence submitted by the appealing party and the alarm administrator. The chief of police or designee must base the decision on the preponderance of evidence presented at the hearing and must render a decision within fifteen (15) days after the date of the hearing. The decision shall affirm or reverse the decision or action taken by the alarm administrator.

c. Any person aggrieved by the decision of the chief of police or designee may appeal in accordance with the procedure set forth in Reno Municipal Code 1.05.500, *et seq.*

d. Filing of an appeal stays any action by the alarm administrator to suspend an alarm permit or require the payment of a fee or penalty until the appeal process has been

exhausted. This provision applies only to the action of the alarm administrator that is the subject of the appeal. This provision does not operate as a bar to enforcement action on violations of this section that occur thereafter.

(4) The alarm administrator or the chief of police, or their respective designees, may adjust the count of false alarms based on:

- a. Evidence that a false alarm was caused by action of the telephone company;
- b. Evidence that a false alarm was caused by a power outage;
- c. Evidence that an alarm dispatch request was not a false alarm; or
- d. The occurrence of multiple alarms within in a 24 hour period, which may be considered as one false alarm to allow the alarm user time to take corrective action, unless the false alarms are directly caused by the alarm user.
- f. On review of fees or penalties assessed to an alarm installation company or monitoring company, the alarm administrator, or, if appealed, chief of police, or designee, or the administrative hearing officer, may consider whether the alarm or monitoring company has engaged in a consistent pattern of violations.

(p) Reinstatement of suspended alarm permits.

(1) On the first suspension of a permit, a person whose alarm permit has been suspended may obtain reinstatement of the permit by the alarm administrator if the person:

- a. Submits a new application and pays a reinstatement fee;
- b. Pays, or otherwise resolves, all outstanding fees and penalties;
- c. Submits a certification from an alarm installation company stating that the alarm system has been inspected and repaired (if necessary) by the alarm installation company; and
- d. The alarm user successfully completes an on-line alarm awareness class and test.

(2) On the second and every subsequent suspension of a permit, reinstatement may be obtained by compliance with (1) above and compliance with any of the following conditions that the alarm administrator may require:

- a. Proof that an employee of the alarm installation company or monitoring company caused the false alarm.

- b. Upgrade the alarm control panel to meet SIA Control Panel Standard CP-01.
- c. A written statement from an independent inspector designated by the chief of police or designee that the alarm system has been inspected and is in good working order.
- d. Confirmation that all motion detectors are “dual technology” type.
- e. Confirmation that the alarm system requires two independent zones to trigger before transmitting an alarm signal to the monitoring company.
- f. Confirmation that the alarm system requires two independent detectors to trigger before transmitting an alarm signal to the monitoring company.
- g. Certification that the monitoring company will not make an alarm dispatch request unless the need for an officer is confirmed by a listen-in device. This condition does not apply to residential property.
- h. Certification that the monitoring company will not make an alarm dispatch request unless the need for an officer is confirmed by a camera device. This condition does not apply to residential property.
- i. Certification that the monitoring company will not make an alarm dispatch request unless the need for an officer is confirmed by a person at the alarm site.
- j. The alarm user successfully completes an on-line alarm awareness class and test.

(3) The police department shall reinstate its response to an intrusion alarm site as soon as is practicable after receiving notice of reinstatement from the alarm administrator.

(q) Revocation of alarm permit.

(1) The chief of police or designee may revoke an alarm permit if it is determined that:

- a. There is a violation of this chapter by the alarm user;
- b. There is a false statement of a material fact in the application for a permit;
- c. The permitted alarm system has generated more than 12 false alarms during any 12 month period; or
- d. The alarm user has failed to pay an alarm permit fee or late fee, a late renewal fee or any fee or penalty assessed under this section, more than thirty (30) days after the fee is due.

- (2) A revocation made pursuant to this section is not subject to administrative review.
- (3) The chief of police or designee may, for good cause shown, reinstate a permit that has been revoked pursuant to this section.
- (r) Police department response. The police department will respond to all “in progress” robbery or panic alarms as promptly as possible, taking into account pending calls for service, following notification of the receipt of the alarm from the alarm or monitoring company.
- (s) Confidentiality of alarm information. All information contained in documents gathered through alarm registrations, the submission of customer lists and in the alarm appeal process must be held in confidence by all employees of the alarm administrator and the City of Reno. Such information is proprietary and is hereby declared confidential and not a public record. Absent special circumstances, such information must not be released to the public or any person other than a law enforcement agency or the applicable alarm user, alarm installation company or alarm monitoring company except pursuant to court order.
- (t) Scope of police duty; Immunities preserved. The issuance of alarm permits does not create a contract between the police department and/or the city and any alarm user, alarm installation company or monitoring company, nor does it create a duty or obligation, either expressed or implied, on the police department to respond to any alarm. Any and all liability and consequential damage resulting from the failure of the police department to respond to an alarm dispatch request is hereby disclaimed and full governmental immunity as provided by law is retained. By applying for an alarm permit, the alarm user acknowledges that the police department response is influenced by the availability of officers, priority of calls, traffic conditions, emergency condition and staffing levels.