

Introduced by _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 5 (ALARM SYSTEMS), CHAPTER 5.24 OF THE PASADENA MUNICIPAL CODE TO ENHANCE THE CITY'S ABILITY TO PERMIT AND REGULATE ALARM SYSTEMS AND RELATED FALSE ALARM ACTIVATIONS

SECTION 1. This ordinance, due to its length and the corresponding cost of publication, will be published by title and summary as permitted by Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

"SUMMARY

Ordinance No. _____ amends the Alarm Systems ordinance (Chapter 5.24 of the Pasadena Municipal Code) to enhance the City's ability to permit and regulate such systems and related false alarm activations.

This ordinance shall take effect 30 days from publication."

SECTION 2. Pasadena Municipal Code, Title 5, Chapter 5.24 (Alarm Systems), section 5.24.030, is amended as follows:

"5.24.030 - Definitions.

For the purpose of this chapter certain words and phrases shall be construed as set forth in this section, unless from the context a different meaning is apparently intended:

- A. "Alarm business" means any business which sells, installs, leases, maintains, repairs, replaces, alters, maintains, repairs, replaces, services, or monitors any alarm system.
- B. "Alarm system" means any device which is used for the detection of an unauthorized entry into a building, structure or facility, or for alerting others to the commission of an unlawful act within a building, structure or facility, or both, and which emits an audible or visible signal that can be heard or seen by persons outside the protected premises or transmits a signal beyond the premises.

Auxiliary devices installed by a telephone company to protect telephone company systems which might be damaged or disrupted by the use of an alarm system are not included within this definition.

- C. "Alarm system user" or "alarm user" means the person having or maintaining a property, burglary, robbery or panic alarm. It means only the subscriber when the system is connected to a central monitoring station. It means only the self-monitored alarm user when the system is not connected to a central monitoring station.
- D. "Applicant" means a person who files an application for a permit as provided in this chapter.
- E. "Audible alarm system" means any device which is used for the detection of an unauthorized entry into a building, structure or facility or for alerting others of the commission of an unlawful act within a building, structure or facility, or both, and which emits an audible sound when actuated.
- F. "Central Monitoring Station" means a commercial company whose primary business is monitoring alarm signals and performing contracted services for alarm users or alarm businesses.
- G. "City" means the city of Pasadena.
- H. "City manager" means the city manager of the city or a designated representative.
- I. "Director of finance" means the director of finance of the city.
- J. "False alarm" means an alarm system signal activated by causes other than the commission or attempted commission of an unlawful act which the alarm system is designed to detect, necessitating response by the police department where an emergency situation does not exist. An alarm signal activated by violent conditions of nature or other extraordinary circumstances not subject to the control of the alarm subscriber shall not constitute a false alarm.
- K. "Finance department" means the finance department of the city.

- L. "Monitoring" means the process by which an alarm system monitoring company or self-monitored alarm systems user receives signals from an alarm system or alarm device.
- M. "Notice" means written notice, given by personal service or by United States mail, postage prepaid, addressed to the person to be notified at his/her last known address.
- N. "Permittee" means any person granted a permit as provided in this chapter.
- O. "Person" means a natural person, firm, partnership, association or corporation, including agents and representatives thereof.
- P. "Police chief" means the police chief of the city.
- Q. "Police department" means the police department of the city.
- R. "Self-monitored alarm system user" means any person who does not engage in business or accepts employment to monitor property, burglary and/or robbery alarms, but elects to internally monitor its own property, burglary and/or robbery alarms located within the City."

SECTION 3. Pasadena Municipal Code, Title 5, Chapter 5.24 (Alarm Systems), section 5.24.050 (Applications), subdivision (A), is amended as follows:

- "A. An application for an alarm system permit shall be submitted to the city and shall be accompanied by the requisite fee. The application fee shall not be refundable. The director of finance or police chief may request that the application contain such information as is necessary to enforce this chapter. The application for an alarm system permit shall require the name, address and telephone number of the person to be notified to render repairs or service to the alarm system at any time of the day or night."

SECTION 4. Pasadena Municipal Code, Title 5, Chapter 5.24 (Alarm Systems), section 5.24.080 (Permit term, expiration, reinstatement), subdivision (A), is amended as follows:

- "A. The fee for a permit or renewal shall be established by resolution of the city council. The anniversary date for all such permits shall be February 1. Permits issued on February 1 shall expire one year after the date of issuance. Permits issued subsequent to any February 1 shall expire one year after the prior February 1. An application for renewal of a permit shall be processed in the same manner as an application for the initial permit."

SECTION 5. Pasadena Municipal Code, Title 5, Chapter 5.24 (Alarm Systems), is amended to add a new section 5.24.085 (Alarm company and self-monitored alarm system user responsibilities) as follows:

"5.24.085 Alarm company and self-monitored alarm system user responsibilities.

- A. Alarm businesses and self-monitored alarm system users:
1. Shall be responsible for ensuring that the alarm system has an active alarm system permit prior to installation of the alarm system (regardless of whether who performs the installation) and at all relevant times thereafter; and
 2. Shall not request a police response or request a Central Monitoring Station to dispatch to an alarm signal that does not have an active permit.
- B. Alarm businesses shall provide alarm system users with the proper alarm user permit information, including, but not limited to, a summary of the alarm systems ordinance, and the application form and fee information. Alarm businesses shall obtain such information from the director of finance.

SECTION 6. Pasadena Municipal Code, Title 5, Chapter 5.24 (Alarm Systems), section 5.24.100 (Standards and regulations), second sentence, is amended by deleting "board of directors of the city" and replacing it with "city council".

SECTION 7. Pasadena Municipal Code, Title 5, Chapter 5.24 (Alarm Systems), section 5.24.130 (Assessment, revocation and nonresponse status—

Procedure),

subdivision (A), first sentence, is amended by deleting "board of directors of the city" and replacing it with "city council".

SECTION 8. Pasadena Municipal Code, Title 5, Chapter 5.24 (Alarm Systems), section 5.24.180, is amended as follows:

"5.24.180 – Violation – Penalty.

- A. Any person who willfully violates any provision of this chapter and is convicted of a misdemeanor shall be punished by a fine of not more than \$1,000, or by imprisonment in the county jail not to exceed six months, or both.
- B. In addition to the penalty provisions in subsection A of this section, violation(s) of this chapter may be subject to the administrative proceedings set forth in Chapter 1.25 or 1.26 of this code."

SECTION 9. The City Council hereby declares that, should any section, subsection paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to be unconstitutional or invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

SECTION 10. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary

SECTION 11. This ordinance shall take effect 30 days from publication.

Signed and approved this _____ day of _____, 2022.

VICTOR M. GORDO
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

MARK JOMSKY, CMC
City Clerk

APPROVED AS TO FORM:



JAVAN N. RAD
Chief Assistant City Attorney