

Chapter 6B.40
ALARM DEVICES

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6B.40.010 Purpose.

The purpose and intent of this chapter is to: (1) protect public safety by curtailing or eliminating the extraordinary number of false alarms which prevent, hinder, or delay public safety personnel from responding to legitimate calls for public service; (2) recover the costs associated with responses to false alarms as the expenditure of such public funds constitutes an unlawful gifting of public monies; (3) stop the current subsidization of private business with public tax dollars; (4) reduce or eliminate the instances of false alarm activations in the City; and (5) license the alarm industry in the City.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.020 Exercise of regulatory police power and revenue license power.

A. The provisions of this chapter shall be deemed an exercise of the City's police power to promote the health, safety, and welfare of the general public, and are not intended to protect individuals or create or otherwise establish or designate any particular class or group of persons who will or should be especially affected by the terms of this chapter. This chapter neither imposes nor creates duties on the part of the City or any of its departments, and the obligation of complying with the requirements of this chapter, and any liability for failing to do so, is placed solely upon the parties responsible for owning, operating, monitoring, or maintaining monitored alarm systems.

B. To the extent that the City may not exercise regulatory power with respect to the licensing requirements of this chapter, the provisions of this chapter pertaining to licensing shall be deemed an exercise of the power of the City to license for revenue the privilege of engaging in business in the City.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.030 License required.

A. It shall be unlawful for any person to connect to a monitored alarm system in the City or to monitor such an alarm system, directly or indirectly, via telephone, cable, wire, wireless, video, electronic, or other form of connection to or by any outside entity or source without first having obtained a license or licenses required by this chapter.

B. It shall be unlawful for any person to permit to be used or operate any monitored alarm system in the City that is connected by means of telephone, cable, wire, wireless, video, electronic, or other form of connection to any outside entity or source that is not licensed or is not monitored by a person licensed pursuant to this chapter.

C. The licenses required pursuant to this chapter are separate from and in addition to any licenses required by any other chapter of the TMC including, but not limited to, those required pursuant to Chapter 6A.10, General Tax Provisions; Chapter 6B.10, General License Provisions; and Chapter 6B.20, Annual Business License.

D. It shall be unlawful for any person to avoid any of the licensing requirements of this chapter by subcontracting for monitoring services or making any other contractual or business arrangement that has the effect of avoiding the requirements of this chapter.

(Ord. 27297 § 1; passed Nov. 23, 2004)

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6B.40.040 Definitions.

Unless the context or subject matter otherwise requires, terms defined herein shall have the following meanings when used in this chapter:

“Alarm system” or “alarm device” means any system, device, or mechanism which, when activated, transmits a telephonic, wireless, electronic, video, or other form of message to an alarm system monitoring company or some other number, or 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 in some other fashion, except any system, device, or mechanism primarily protecting a motor vehicle. An alarm system or alarm device may consist of one or more components (e.g. motion detector, window breach detector, or similar components) all reporting to a central unit/system panel which, in turn, is connected to or reports to an alarm system monitoring company via telephonic, wireless, electronic, video, or other form of message.

“Alarm system monitoring company” or “alarm system operator” means any person, individual, partnership, corporation, or other form of association that engages in the business of monitoring intrusion, property, burglary, robbery, panic alarms, or other alarm systems located in the City. This includes alarm system monitoring companies and alarm system operators that are located outside the City limits and which monitor alarms installed within the City limits.

“Alarm system user” means the person having or maintaining a property, intrusion, burglary, robbery, panic, or other alarm system. It means only a subscriber when the system is connected to an alarm system monitoring company.

“Burglary alarm system” has the same meaning as “property alarm” below.

“Chief of Police” means the Chief of the Tacoma Police Department, or his or her designee.

“False alarm” means the reporting of the activation of any monitored alarm system where police units dispatched to the location determine that there is no evidence of a crime or other activity on the premises that would warrant a call for immediate police assistance or investigation. An alarm shall be presumed to be false if responding City personnel do not locate evidence of intrusion, commission of an unlawful act, or emergency on the premises that might have caused the alarm to sound. If earthquakes, hurricanes, tornadoes, or other acts of God set off a large number of alarms, a police supervisor may determine that no responses will be made to such alarms during the pendency of such event. No false alarm fees will be assessed during the time period for which no response is made as determined by the police supervisor.

“Fire alarm” means a signal initiated by a device such as a manual fire alarm box, automatic fire detector, waterflow switch, smoke detector, or other device which, when activated, is indicative of the presence of a fire or fire signature. All fire alarms shall be exempt from the provisions of this chapter.

“Monitored alarm system” means any system, device, or mechanism which, when activated, transmits a telephonic, wireless, electronic, video, or other form of message or communication to a private monitoring company, other number, or person who can then notify police that an alarm has been activated. This includes all systems which transmit telephonic, wireless, electronic, video, or other form of message from an alarm installed within the City limits to any location outside the City (e.g., an alarm monitoring center located in a state other than Washington). All alarms that are monitored, except fire alarms, are included within the definition of “monitored alarm system”; e.g., any monitored burglary, intrusion, panic, premises, property, robbery, or other type of alarm device.

“Panic alarm” has the same meaning as “robbery alarm” below.

“Permittee” means any person required to be licensed under this chapter.

“Police Department” or “police” means the Tacoma Police Department.

“Premises” means any area and any portion of any area protected by an alarm system.

“Property alarm,” “intrusion alarm,” or “burglary alarm” means any system, device, or mechanism for detection and reporting of any unauthorized entry or attempted entry or property damage upon real property protected by the system which may be activated by sensors or other techniques and, when activated, transmits a telephonic, wireless, electronic, video, or other form of message, or emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal beyond the protected premises.

“Residence” means a building or structure, or portion thereof, designed to be used as a place of abode for human beings and which is not used for any other primary purpose. The term includes all dwelling units within the definition of a “residential use.”

“Robbery alarm” or “panic alarm” means any system, device, or mechanism activated by an individual on or near the premises to alert others that a robbery or any other crime is in progress, or that the user is in need of immediate assistance or aid in order to avoid injury or serious bodily harm, which meets the following criteria:

1. The system is installed on real property (the “protected premises”);
2. It is designed to be activated by an individual for the purpose of summoning assistance to the premises;
3. It transmits a telephonic, wireless, electronic, video, or other form of message or emits an audible, visible, or electronic signal that can be heard, seen, or received by persons outside the protected premises; and
4. It is intended to summon police assistance to the premises.

“System subscriber” means any person, corporation, or other business entity that purchased, contracted for, or has had any alarm system installed in or on premises owned or controlled by them.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.050 Alarm system operator (monitoring company) license.

An alarm system operator license shall be required for any person to be or become or operate or provide an alarm monitoring service within the jurisdictional limits of the City. This includes any person who monitors alarm devices installed in the jurisdictional limits of the City even if such monitoring is conducted from a location outside the City limits (e.g., an alarm monitoring center in another state). Such license shall be valid for the calendar year in which it is issued and is not transferable.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.060 Monitored alarm device license.

A. Monitored alarm device licenses shall be required for any alarm system operator renting, leasing, installing, placing, subscribing, contracting, subcontracting, or otherwise arranging to monitor an alarm device within the City limits. Each monitored alarm device license shall be issued for a particular device and shall not be transferable from one monitored alarm device to another; from one person to another; or from one premise, building, dwelling, or residence to another. A monitored alarm device license is valid only for the calendar year in which it is issued. If an alarm system operator or subscriber transfers, assigns, or subcontracts monitoring services for a validly licensed alarm device to another alarm system operator, the existing valid license shall remain in full force and effect for the remainder of the calendar year in which it was issued. An alarm system operator who assumes responsibility for monitoring an alarm device that has already been licensed for that year must report all such transfers in its quarterly report. The alarm system operator shall provide the transfer information in the form required by the Director (e.g., Excel spreadsheet). The transfer information shall include, at a minimum, the name of the alarm system operator under which the device was previously licensed, the name of the alarm system operator assuming responsibility for the alarm, the address where the device is installed, and the name of the subscriber.

B. Alarm system operators shall update quarterly, in the form required by the Director (e.g., Excel spreadsheet), a list of all alarm devices monitored by them within the jurisdictional limits of the City. Such list shall include the information required by the Director which, at a minimum, shall include the address where the alarm is installed, the name of the subscriber, the type of alarm, and the number of alarm devices.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.070 Duty of licensee.

A. It shall be the duty of all licensees granted licenses under this chapter to comply with all applicable regulations in this chapter or elsewhere, and the failure of any licensee so to do shall constitute, but shall not be exclusive grounds for, suspension or revocation of any license and shall constitute a violation of this chapter.

B. It shall be the duty of all licensees granted licenses under this chapter not to have in their employ or financially interested in the business to be conducted any person who has had his or her license revoked or suspended by the City within one year from the date of such revocation.

C. It shall be the duty of any person engaged in or representing himself or herself as being engaged in an alarm monitoring business in the City, whether it be for selling, leasing, renting, servicing, inspecting, installing, maintaining, repairing, or monitoring alarms, to obtain all licenses required by this or any other chapter including those required pursuant to Chapter 6B.10, General License Provisions; and Chapter 6B.20, Annual Business License.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.080 Regulations.

A. All monitored alarm systems and alarm system operators shall comply with the regulations set forth in this chapter.

B. Fees shall be assessed for all responses to false monitored alarms.

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C. No fee shall be assessed for a police response to the report of an audible or visual alarm.

D. Mandatory enhanced call verification: All alarm system operators or alarm system monitoring companies must make a minimum of two calls to attempt to verify an alarm prior to requesting a police response. The first call shall be to the premise protected by the activated alarm. The second call shall be to a separate off-site number such as the mobile telephone of the owner or manager of the property.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.090 Certain devices, systems, uses prohibited.

A. No person shall operate or use an alarm system which emits an audible sound where such emission does not automatically cease within ten minutes.

B. No person shall operate or use an alarm system which automatically dials the Tacoma Police Department directly and delivers a prerecorded message.

C. No person shall install, monitor, operate, or use a monitored alarm system which is not licensed as required pursuant to this chapter. Any person who fails to obtain the license or licenses required by this chapter shall be subject to the penalty provisions herein. Further, no police response may be made to any alarm devices monitored by a non-licensed person. Non-licensed persons shall be solely liable to their system subscribers for failure to obtain any license required by this chapter and shall have an affirmative duty to notify their system subscribers of their non-licensed status and the resultant potential for no police response.

D. All monitored alarm systems subject to this chapter that are installed in the City on or after January 1, 2005, shall use alarm control panels that meet industry standard CP-01 UL listing.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.100 Suspension or revocation.

The Director shall have the power and authority to suspend or revoke any license issued under the provisions of this chapter as set forth in Section 6B.10.140. The Director shall notify the licensee in writing, by ordinary mail, of the suspension or revocation of the license and the grounds therefor. Any license issued or application therefor under this chapter may be denied, suspended, or revoked based upon one or more of the grounds set forth in Section 6B.10.140 and/or any violation of this chapter. The Director shall also immediately notify the Police Department of the revocation, and no police response may be made to any alarm devices monitored by the alarm system operator until all suspended or revoked licenses are reinstated. No suspended or revoked license may be reinstated without prior payment of all license and alarm response fees due and outstanding.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.110 False alarm response fee.

A. Alarm system operators shall be assessed a false alarm response fee for each police response to a false monitored alarm which is registered to the alarm system operator. No fee shall be assessed if the responding units are canceled prior to arrival at the scene.

B. No license hereunder shall be granted or renewed under this chapter unless all assessed false alarm response fees are paid in full. Licensees who fail to pay assessed response fees within 60 days may have all licenses suspended by the Director. Licensees who fail to pay assessed response fees within 90 days may have all licenses and registration revoked by the Director.

C. Any license suspended or revoked by the Director shall not be reinstated without payment of all outstanding balances for licenses and false alarm response fees.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.120 Fees.

The license fees for the various classes of licenses shall be and are hereby fixed as follows:

Alarm System Operator License	Fee
For one to 100 devices	\$100 per annum
For 101 to 200 devices	\$200 per annum
For 201 to 500 devices	\$400 per annum
For 501 or more devices	\$500 per annum
Monitored Alarm Device License	Fee
Alarm devices annual	\$40 per device
Alarm devices installed January 1 to March 31	\$30 per device
Alarm devices installed April 1 to June 30	\$20 per device
Alarm devices installed July 1 to September 30	\$10 per device
False alarm service fee	\$100 per occurrence

(Ord. 28045 Ex. A; passed Dec. 13, 2011; Ord. 27406 § 6; passed Aug. 30, 2005; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.130 Term of license – Due date.

A. Device license fees. The fees for monitored alarm devices shall be payable in advance by the alarm system operator on an annual basis with quarterly adjustments for additional devices.

1. The initial device license fees shall be payable on or before January 31 of the annual period for which fees are due. At the time of payment of the annual fee, each alarm system operator shall provide, in the format specified by the Director (e.g. an Excel spreadsheet), a list of all addresses at which monitored alarms are installed, the name of the corresponding subscriber, and the number of devices at such address.

2. Each alarm system operator shall provide quarterly, in the format specified by the Director (e.g. an Excel spreadsheet), a list of all additional addresses at which monitored alarms were installed during such quarter, the name of the corresponding subscriber, and the number of devices at such address. The Director shall assess each alarm system operator for each additional device and such assessment shall be due and payable no later than the last day of the month following the end of the quarter.

B. False alarm service fees. The false alarm service fees imposed by this chapter shall be due and payable within 60 days of the date they are billed to the alarm system operator, and remittance shall be made on or before such date.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.150 Duty to supply ordinances and information to system subscribers.

A. All persons licensed pursuant to this chapter shall supply each of their system subscribers with copies of all current ordinances pertaining to alarms and a copy of the licensee's policies and practices with respect to billing a system subscriber for any fees or licenses established by this or any other chapter of the TMC.

B. All persons licensed pursuant to this chapter shall notify each of their system subscribers of the revocation or suspension of any license issued by the City. The notice shall be in writing and shall be mailed to all system subscribers no later than the tenth calendar day following such suspension or revocation.

C. Failure to comply with the notice requirements set forth herein shall constitute separate and independent grounds for imposition of penalties as provided herein and for suspension and revocation of any license(s) issued by the City.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.40.160 Public disclosure – Confidentiality – Information sharing.

All requests for public disclosure or for information shall be governed by Section 6A.10.200. In addition to the provisions of Section 6A.10.200, information and statistics gathered by the Tacoma Police Department and/or the Law Enforcement Support Agency pertaining to calls for service and responses to alarms may be made available to the Department and other City departments, as necessary, to fully carry out the purposes of this chapter.

(Ord. 27297 § 1; passed Nov. 23, 2004)