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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2474

AN ORDINANCE relating to burglary and robbery alarms, defining false alarms and offenses connected therewith, and prescribing fees and corrective administrative actions and adding a new Chapter 9.16 to Title 9 of the Bellevue City Code.

WHEREAS, the City of Bellevue Police Department maintains a procedure for responding to burglary and robbery alarms; and

WHEREAS, the Police Department has determined that said alarms have been falsely activated on a frequent basis as a result of employee error, family error or equipment malfunction; and

WHEREAS, false alarms, in addition to posing a threat to the safety of police officers and citizens by creating unnecessary hazards, cause an economic impact on the Police Department in employee-hour costs, insurance and damages which in the year 1976 exceed \$19,000.00; and

WHEREAS, the number of false alarms in the City of Bellevue has been increasing at a significant rate: during the first six months of 1977 false alarms increased from an average of 1.02 to 1.93 per day, now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby added to the Bellevue City Code a new Chapter 9.16 to be entitled as follows:

Chapter 9.16

FALSE ALARMS

Section 2. There is hereby added to the Bellevue City Code a new section index of Chapter 9.16 to read as follows:

Sections:

- 9.16.010 Purpose.
- 9.16.020 Definitions.
- 9.16.030 Emergency Response Card.
- 9.16.040 Fees, Corrective Action.

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- 9.16.050 Administrative decisions, notice.
- 9.16.060 Appeals from Administration Decision, finality.

Section 3. There is hereby added to the Bellevue City Code a new Section 9.16.010 to read as follows:

9.16.010 Purpose. It is the intent of this chapter to reduce the number of false alarms occurring within the City of Bellevue and the resultant waste of City resources by providing for corrective administrative action, including fees and potential disconnection and criminal penalties.

Section 4. There is hereby added to the Bellevue City Code a new Section 9.16.020 to read as follows:

9.16.020 Definitions. In this chapter, unless a different meaning plainly is required:

- (1) "Person" includes any natural person, partnership, joint stock company, unincorporated association or society or a corporation of any character whatsoever.
- (2) "False alarm" includes the activation of a burglary and/or robbery alarm by other than a forced entry, attempted forced entry, unlawful entry, or actual robbery or attempted robbery on the premises and at the time when no robbery, burglary or crime involving a foreseeable risk of grievous bodily harm is being committed or attempted on the premises.

Section 5. There is hereby added to the Bellevue City Code a new Section 9.16.030 to read as follows:

9.16.030 Emergency Response Card. It is unlawful to have or maintain on any premises a burglary and/or robbery alarm unless there is on file with the Bellevue Police Department an emergency response card containing the name or names and current telephone number or numbers of person(s) authorized to enter such premises and turn off any alarm. Any alarm audible upon abutting property for a period in excess of one hour is hereby declared to be a public nuisance and may be summarily abated by the Police Department.

Section 6. There is hereby added to the Bellevue City Code a new Section 9.16.040 to read as follows:

9.16.040 Fees, Corrective Action, Disconnection. For police response to any false alarm, the City of Bellevue may charge and collect from the person having or maintaining such burglary and/or robbery alarm on premises owned or occupied by him fees as follows:

- A. For a response to premises at which no other false alarm has occurred within the preceding six month period, hereinafter referred to as a "first response", no fee shall be charged.

Upon first response, notice of conditions and requirements of this chapter shall be given to the owner or occupant of the premises on which the false alarm occurred and upon which the burglary and/or robbery alarm is located.

- B. For a second response to premises within six months after the first response a fee of fifty dollars (\$50.00) may be charged. The person having or maintaining such burglary and/or robbery alarm shall, within five working days after notice to do so, make a written report to the Chief of Police on prescribed forms setting forth the cause of such false alarm, the corrective action taken, whether and when such alarm has been inspected by authorized service personnel, and such other information as the Chief of Police may reasonably require to determine the cause of such false alarm, any mitigating circumstances and corrective action necessary. The Chief of Police may direct the person having or maintaining such burglary and/or robbery alarm to have authorized service personnel inspect the alarm at such premises and to take other corrective action as prescribed by the Chief of Police. All costs of inspection and corrective action shall be borne by the individual having or maintaining the alarm on said premises.

- C. For a third response to premises within six months after such a second response, and for all succeeding responses within six months of the last response, a fee of one hundred dollars (\$100.00) may be charged, and if such third false alarm or any such succeeding false alarm occurs as a result of failure to take necessary corrective action prescribed under Section 9.16.040B above, the Chief of Police may order the person having or maintaining the burglary and/or robbery alarm to disconnect such alarm until the prescribed corrective action is taken and certification of such corrective action is provided to the Bellevue Police Department, provided that no disconnection shall be ordered relative to any premises required by law to have an alarm system in operation.

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Section 7. There is hereby added to the Bellevue City Code a new Section 9.16.050 to read as follows:

9.16.050 Administrative decisions, notice. Notice of imposition of any administrative sanction, including the imposition of a fee or order of disconnection, under the provisions of this chapter shall be given to the person having or maintaining a burglary and/or robbery alarm on premises owned or occupied by him, provided that with respect to business premises, the owner, manager or chief administrative agent regularly assigned and employed on the premises at the time of the occurrence of a false alarm shall be presumed to be the person having or maintaining said alarm on said business premises.

Section 8. There is hereby added to the Bellevue City Code a new Section 9.16.060 to read as follows:

9.16.060 Appeal from Administrative Decision, finality. Any person subject to the imposition of a fee, order of disconnection or other administrative sanction under the terms of this chapter shall have a right of appeal therefrom to the Board of Adjustment. Provisions of Chapter 3.54 of the Bellevue City Code shall govern such an appeal.

Unless Notice of Appeal is filed with the Board of Adjustment within ten (10) days of receipt of notice of imposition of an administrative sanction, said sanction is hereby deemed to be final.

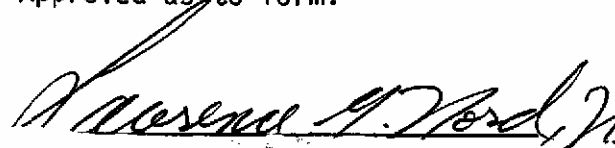
Section 9. This ordinance shall take effect and be in force thirty days after its passage and legal publication.

PASSED by the City Council this 10 day of October, 1977,
and signed in authentication of its passage on this 10 day of October, 1977.

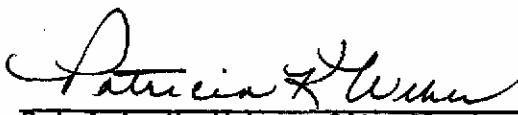
(SEAL)


M. F. Vanik, Mayor

Approved as to form:


Laurence G. Nord, Jr. Assistant City Attorney

Attest:


Patricia K. Weber, City Clerk

Published October 15, 1977