

**ORDINANCE NO.**

AN ORDINANCE ADDING CHAPTER 8.17 TO THE WALLA WALLA MUNICIPAL CODE REGARDING BURGLAR ALARMS AND TAKING OTHER ACTION AMENDING THE WALLA WALLA MUNICIPAL CODE IN CONNECTION THEREWITH

WHEREAS, section 35A.11.020 of the Revised Code of Washington grants the Walla Walla City Council all powers possible for a city or town to have under the Constitution of this state, and not specifically denied to code cities by law and authorizes it to adopt and enforce ordinances of all kinds relating to and regulating its local or municipal affairs and appropriate to the good government of the city; and

WHEREAS, this jurisdiction finds that a high incidence of False Alarms causes a significant misuse of the staffing and resources of Dispatch and the Walla Walla Police Department by causing the dispatch of emergency units to the scene of a False Alarm, which renders them out of service and unavailable to respond to legitimate emergency situations; and

WHEREAS, this jurisdiction finds that the continued high incidence of False Alarms are a threat to the health, safety and welfare of the citizens of the City of Walla Walla; and

WHEREAS, unless there is a separate indication there is a crime in progress, this jurisdiction finds the suspension of service to locations with multiple False Alarms would serve the greater public health, safety and welfare; and

WHEREAS, the Walla Walla City Council has considered adoption of this revised ordinance during a regularly and duly called public meeting of said Council, has given careful review and consideration to said ordinance, and finds said ordinance to be in the best interests of the City of Walla Walla,

**NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:**

**Section 1:** Chapter 8.17 is hereby added to the Walla Walla Municipal Code as follows:

- 8.17.010 Purpose
- 8.17.020 Definitions
- 8.17.030 Registration of alarm systems
- 8.17.040 Public nuisance declared
- 8.17.050 Required corrective action for false alarms
- 8.17.060 Suspension of response
- 8.17.070 State statutes
- 8.17.080 Severability

8.17.10 Purpose:

- A. The purpose of this chapter is to encourage Persons to properly install, use, and maintain the operational effectiveness of alarm systems in order to improve the reliability of alarm systems and reduce or eliminate False Alarms.

8.17.20 Definitions:

- A. "Alarm" means a signal, transmission or other communication requesting the dispatch of emergency services.
- B. "Automatic alarm" means a device capable of automatically, without human action, requesting (implied or directly) emergency services be dispatched.
- C. "Automatic voice dialers" may be used to alert the Person owning the alarm system. The Person owning an alarm system shall not use Automatic Voice Dialers directly to contact Dispatch or the Walla Walla Police Department.
- D. "Cancellation" means the response is terminated by a Security Company notifying Dispatch that there is no existing situation at the alarm site requiring law enforcement response.
- E. "Control Panel Standard" means that all control panels should be United Laboratory (UL), or other nationally recognized testing organization, and will be marked appropriately as meeting the ANSI/SIA CP-01-2014 False Alarm reduction standard.
- F. "Dispatch" is officially known as the Walla Walla Emergency Services Communications Center (WESCOM). Dispatch receives calls for law enforcement, fire, and emergency medical services. Personnel prioritize, process, and dispatch these calls professionally and promptly while maintaining radio and telephone communications.
- G. "Emergency" means a situation where there is a need, or reasonable cause to believe there is a need, for emergency services. "Emergency" shall include, but is not limited to, burglaries, robberies, and fires.
- H. "Emergency services" means services provided by the Walla Walla Police Department or other agencies in response to an immediate need for service to address public health and safety concerns. "Emergency services" include law enforcement services, fire services, and medical services to address out-of-hospital acute medical care, transport to definitive care, and other medical transport to patients with illnesses and injuries that prevent the patient from transporting themselves.
- I. "False alarm" means a signal, transmission, or other communication to the Walla Walla Police Department, whether intentionally made or not, to which it can reasonably be expected that the Walla Walla Police Department will dispatch emergency services when, in fact, there is no need for emergency services nor is there reasonable belief for need of emergency services. A false alarm includes situations when no crime was being committed and no medical emergency was occurring. A false alarm is often caused by human error and/or faulty equipment.
- J. "Faulty alarm system" means an alarm that automatically summons emergency services when no emergency exists. The summoning of emergency services may be by:
  - a. Automatic telephone call directly to the Walla Walla Police Department, Dispatch;
  - b. Security company that in turn contacts the Walla Walla Police Department or Dispatch; or by
  - c. Creation of loud sounds or noises that cause others to phone law enforcement.
- K. "Person" means the Person who owns or operates an Alarm System, monitored or not monitored, from an alarm installation company or monitoring company. Only the owner or their designee should submit the completed Alarm Registration Form pursuant to this chapter.

- L. "Security company" means any individual, corporation, partnership, firm, or other legal entity that designs, installs, maintains electronic alarms, or operates a private communication center for receiving and transmitting emergency calls from alarms.
- M. "Semi-automatic alarm" means a device of whatever nature capable of requesting, whether implicitly or directly, Walla Walla to dispatch emergency services; such a device may require human activation but shall not include telephone communication where a nonrecorded, human voice requests emergency services.
- N. "Police Department" means the Walla Walla Police Department. References to "Law Enforcement" also refer to the Walla Walla Police Department.

8.17.030 Registration of alarm systems

The 9-1-1 Dispatch Center (WESCOM) shall maintain a central registry of all persons maintaining an alarm within the City of Walla Walla limits.

- A. Registration is required for any existing or new alarm system operating within the incorporated areas of the City of Walla Walla, whether an automatic alarm or a semi-automatic alarm.
- B. Alarm Registration Form. The Alarm Registration Form shall be completed and submitted to the City of Walla Walla and shall include:
  - a. Name, address and phone number of the Person owning the system;
  - b. Address and phone number of the authorized primary and secondary contacts;
  - c. Location of the alarm system;
  - d. Type of alarm (fire or burglar) being registered; and
  - e. Such other information the Walla Walla Police Department deems advisable for the protection of public safety.
- C. Registering an alarm system is free. Also, no fee will be charged for submitting changes or amendments in registration information. Persons are encouraged to provide updates whenever contact information has changed.

8.17.040 Duties of the Alarm System Owner

The Person owning the alarm system 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 thirty minutes after being requested by the monitoring company or Walla Walla Police Department to deactivate an alarm system and/or provide access to the alarm site.
- C. Provide to the security company the names and phone numbers of at least two individuals who are able and have agreed to receive notification of an alarm system activation at any time and will provide access to the alarm site and de-active the alarm system if necessary.
- D. Notify their security company when the contact information changes.
- E. Submit an updated Alarm Registration Form to Dispatch when the contact information changes.

8.17.050 Public nuisance declared

The operation of a faulty alarm system within the City of Walla Walla is a public nuisance.

8.17.060 Required corrective action for false alarms

Unless there is separate indication there is a crime in progress, the Walla Walla Police Department may refuse law enforcement response to an alarm dispatch request for an alarm site that has excessive False Alarms, such as when six or more False Alarms occurred within a rolling ninety days. Dispatch will organize and maintain a log of alarm calls that law enforcement has determined was a False Alarm. Every time the Walla Walla Police Department responded to an alarm and found it was a False Alarm will count in that tally, regardless of the time span since the last False Alarm.

8.17.070 Government Immunity

Neither registration of an alarm system nor the provisions of this chapter are intended to, nor will they, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. When registering an alarm system, the Person registering it acknowledges the Walla Walla Police Department response may be based on factors such as availability of law enforcement officers, priority of calls, weather conditions, traffic conditions, emergency conditions, and staffing levels. The City of Walla Walla, its officers, employees and agents shall not assume any duty or responsibility for the installation, maintenance, operation, repair or effectiveness of any privately owned alarm systems. Those duties or responsibilities being solely those of the Person owning the premises.

8.17.80 State statutes

Nothing in this chapter shall limit the City of Walla Walla or Walla Walla Police Department's ability to enforce criminal or civil nuisance statutes with respect to faulty alarm systems. This encompasses all codes, regulations, and statutes adopted by the City of Walla Walla.

**Section 2:** This ordinance shall become effective on \_\_\_\_\_, 2021 at 12:00 a.m. after its publication in the manner provided by law.

**Section 3:** If any portion or part hereof shall be determined to be invalid or unenforceable, it shall be deemed severable from the remainder hereof.

**PASSED** by the City Council of the City of Walla Walla, Washington, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Mayor

Attest:

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City Clerk

Approved as to form:

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City Attorney