

[Chapter 8.07, Burglar Alarm Ordinance, codified by Ord. 05-2000, Amended by Ord. 05-2003, 3/13/03 is hereby repealed and replaced by Chapter 8.07 Alarm Permit, adopted by Ord. 01-2010, 1/28/10]

Chapter 8.07

8.07 ALARM PERMIT

8.07.010 Purpose

- A. The purpose of this chapter is to protect the efficient use of Clackamas County Sheriff emergency law enforcement services and to protect the public from unreasonable alarm noise and disturbance.
- B. The provisions of this chapter shall be administered by the Clackamas County Sheriff and shall apply only to Alarm Systems operated in unincorporated Clackamas County, unless otherwise permitted by law.

[Adopted by Ord. 01-2010, 1/28/10]

8.07.020 Definitions

- A. ALARM BUSINESS means a business by any individual, partnership, corporation or other entity, that sells, leases, maintains, services, repairs, alters, replaces, moves or installs, any Alarm System in or on any building, structure, dwelling or facility.
- B. ALARM SYSTEM means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an entry to a building, structure, dwelling or facility or other activity requiring urgent attention and to which emergency services are expected to respond.
- C. ALARM USER means the person(s), firm, partnership, association, corporation, company, organization of any kind, or public entity in control of any building, structure, dwelling or facility wherein an Alarm System is maintained.
- D. AUTOMATIC DIALING DEVICE means a device, which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or chapter signal an emergency message indicating a need for emergency response.
- E. FALSE ALARM means an alarm signal eliciting a response by emergency services when a situation requiring a response does not in fact exist. False Alarm does not include an alarm signal caused by uncontrollable conditions of nature or other extraordinary circumstances not reasonably subject to control by the Alarm Business or Alarm User.
- F. SHERIFF means the Clackamas County Sheriff or designee.

[Adopted by Ord. 01-2010, 1/28/10]

8.07.030 Fines and Fees

- A. Fines and fees associated with this chapter shall be set by resolution of the Board of County Commissioners.
 - B. Fees must be paid upon demand and fines must be paid within 14 days of the date
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of notice that a fine is due or the fine will double.
[Adopted by Ord. 01-2010, 1/28/10]

8.07.040 Alarm Permit Requirements; Violation; Suspension of Sheriff Emergency Services

- A. No Alarm System shall be operated without an alarm permit issued by the Sheriff. Application for an alarm permit shall be made with the Sheriff and the applicant shall be the responsible party for purposes of enforcing this chapter.
 - B. A permit shall be issued to the property address of the Alarm System and bear the signature of the Sheriff. The permit shall be valid for one-year from the date issued unless suspended pursuant to this chapter.
 - C. An alarm permit shall be kept physically upon the premises using the Alarm System and shall be available for inspection by the Sheriff upon request.
 - D. An alarm permit fee is not required upon proof that a residential applicant is over 65 and is a primary resident unless a commercial business is conducted in or on the premises.
 - E. An alarm permit fee is not required when the Alarm User is a public entity and the permit issued shall not be subject to suspension.
 - F. It shall be a violation of this chapter to operate an Alarm System without a permit except as provided by this chapter. Within 14 days of a Notice of Violation an Alarm User must submit a permit application, and applicable fees and fines to the Sheriff. Failure to comply may suspend further Sheriff emergency law enforcement services to the subject address without further notice.
- [Adopted by Ord. 01-2010, 1/28/10]

8.07.050 Automatic Dialing Device: Certain Interconnections Prohibited

- A. It is a violation of this chapter for any person to program an Automatic Dialing Device to select a telephone line assigned to the County.
 - B. It is a violation of this chapter to fail to disconnect or to reprogram an Automatic Dialing Device which is programmed to select a telephone line assigned to the County within twelve (12) hours of notice that it is so programmed.
- [Adopted by Ord. 01-2010, 1/28/10]

8.07.060 False Alarms and Permit Suspension

- A. It shall be a violation of this chapter for an Alarm User to incur a False Alarm at the permit address during the alarm permit year. The fourth False Alarm in a permit year shall be cause to suspend the alarm permit for one year from the date of the last False Alarm
 - B. Following a fourth False Alarm within the permit year, the Sheriff will mail the permit applicant a Notice of Suspension which unless appealed in accordance with this chapter will be effective and final on the date of mailing without further notice.
 - C. The Sheriff may suspend law enforcement emergency response to an alarm at the permit address for the period of suspension or until a new permit is issued.
 - D. An alarm permit suspended under this chapter will prohibit reapplication at the
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permit address for the term of the suspension period and until all fines have been paid, except upon new application and proof of transfer of ownership of the property.

[Adopted by Ord. 01-2010, 1/28/10]

8.07.070 Appeal of Notice of Suspension

- A. An appeal of Notice of Suspension of an alarm permit may be made by a permit applicant and must be received by the Sheriff within 14 days from the date of mailing of the notice. It must set forth an explanation why the permit should not be suspended, an explanation if any for the False Alarms to include supporting or mitigating information, and describe actions taken to eliminate a future False Alarm.
- B. The Sheriff will review a timely appeal and issue a written final determination setting forth reasons supporting the determination within 14 days from the date of receipt of the appeal. The final determination will be effective on the date issued and shall include information on the right of appeal.
- C. Appeal of a final determination may be taken exclusively by writ of review in the manner set forth in ORS 34.010 to ORS 34.100.

[Adopted by Ord. 01-2010, 1/28/10]

8.07.080 Continuous Alarm as Public Nuisance; Disconnection Of Alarm

Any bell, horn, or siren used in conjunction with an Alarm System which can be heard outside a building, structure, dwelling or facility for more than fifteen (15) minutes continuously or intermittently and the Alarm User is not readily available or able to silence the device, is a public nuisance and may be disconnected or otherwise silenced by responding law enforcement personnel. Disconnection may be made by such means as is reasonably necessary to silence the alarm. The Alarm User shall be solely responsible for property damage associated with disconnecting or silencing the alarm, and costs of reconnection. [Adopted by Ord. 01-2010, 1/28/10]

8.07.090 Allocation Of Revenues And Expenses

All fees and fines collected pursuant to this chapter shall be set aside solely for the administration of this chapter. The Sheriff shall maintain records sufficient to identify the sources and amounts of that revenue. [Adopted by Ord. 01-2010, 1/28/10]
