

FILE NO. 021995

ORDINANCE NO. 30-03

1 [Revising administration of Police Emergency Alarm Ordinance.]
2

3 Ordinance amending the San Francisco Police Code by amending Sections 3702, 3707
4 through 3710, and 3711 through 3720, by adding Sections 3710.1 through 3710.9 and a
5 new Section 3721, and by re-numbering current Section 3721 as Section 3722, to give
6 the Director of Emergency Communications responsibility for administering the
7 substantive provisions of the Police Emergency Alarm Ordinance and to provide for
8 billing and collection of license and license renewal fees by alarm companies.

9 Note: Additions are *single-underline italics Times New Roman*;
10 deletions are *strikethrough italics Times New Roman*.
11 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

12 Be it ordained by the People of the City and County of San Francisco:
13

14 Section 1. The San Francisco Police Code is hereby amended by amending
15 Section 3702, to read as follows:

16 **SEC. 3702. DEFINITIONS.**

17 In this Article the following terms and phrases shall have the following meanings:

- 18 (a) "Police" or "Police Department" means the San Francisco Police Department.
19 (b) "Chief of Police" means the Chief of the San Francisco Police Department or his
20 or her designee.
21 (c) "Alarm installation company" means a person in the business of selling,
22 providing, maintaining, servicing, repairing, altering, replacing, moving, or installing an alarm
23 system in an alarm site.
24 (d) "Alarm dispatch request" means a notification to the Police Department that an
25 alarm, either manual or automatic, has been activated at a particular alarm site.

1 (e) "Alarm ~~license permit~~" means authorization granted by the Chief of Police to an
2 alarm user to operate an alarm system.

3 (f) "Alarm monitoring company" means a person in the business of providing monitoring
4 services.

5 (g) ~~(g)~~ "Alarm site" means a single fixed premises or location served by an alarm
6 system or systems. Each unit, if served by a separate alarm system in a multi-unit building or
7 complex, shall be considered a separate alarm site.

8 (h) ~~(g)~~ "Alarm system" means a device or series of devices, including, but not limited
9 to, hardwired systems and systems interconnected with a radio frequency method such as
10 cellular or private radio signals, which emit or transmit a remote or local audible, visual or
11 electronic signal indicating an alarm condition and intended to summon law enforcement
12 response, including local alarm systems. Except as otherwise specifically provided in this
13 Article, "alarm system" does not include an alarm installed in a vehicle or on someone's
14 person unless the vehicle or the personal alarm is permanently located at a site.

15 Independently controlled alarm systems within the same premises shall constitute separate
16 alarm systems. Alarm devices installed on a temporary basis by the Police Department shall
17 not constitute alarm systems. The Director of Emergency Communications may by regulation
18 exclude low-end local alarm systems that are not intended to summon law enforcement response from
19 some or all of the requirements of this Article.

20 (i) ~~(h)~~ "Alarm user" means any person, who (which) has contracted for monitoring,
21 repair, installation or maintenance service from an alarm installation company or monitoring
22 company for an alarm system, or who (which) owns or operates an alarm system which is not
23 monitored, maintained or repaired under contract.

1 ~~(i) "Alarm user awareness class" means a class conducted for the purpose of educating~~
2 ~~alarm users about the responsible use, operation, and maintenance of alarm systems and the problems~~
3 ~~created by false alarms.~~

4 (j) "Arming station" means a device that allows control of an alarm system.

5 (k) "Automatic voice dialer" means any electrical, electronic, mechanical, or other
6 device capable of being programmed to send a prerecorded voice message, when activated,
7 over a telephone line, radio or other communication system, to a law enforcement, public
8 safety or emergency services agency requesting dispatch.

9 (l) "Cancellation" means the process where response is terminated when a
10 monitoring company (designated by the alarm user) for the alarm site notifies the responding
11 law enforcement officer that there is not an existing situation at the alarm site requiring law
12 enforcement agency response after an alarm dispatch request.

13 (m) "Conversion" means the transaction or process by which one alarm installation
14 company or monitoring company begins the servicing and/or monitoring of a previously
15 unmonitored alarm system or an alarm system previously serviced and/or monitored by
16 another alarm company.

17 (n) "Duress alarm" means a silent alarm system signal generated by the entry of a
18 designated code into an arming station in order to signal that the alarm user is being forced to
19 turn off the system and requires law enforcement response.

20 (o) "False alarm" means an alarm dispatch request to a law enforcement agency,
21 when the responding law enforcement officer finds no evidence of a criminal offense or
22 attempted criminal offense after having completed a timely investigation of the alarm site.

23 (p) "Holder alarm" means a silent alarm signal generated by the manual activation
24 of a device intended to signal a robbery in progress.

1 (q) "Premises" means any land and building located within the City and County of
2 San Francisco except land or buildings owned, rented, or leased ~~to by~~ the federal government,
3 the State of California or any political subdivision or agency thereof, or the City and County of
4 San Francisco, including the public schools.

5 ~~(r) "License" means a license issued or required by the State of California for an alarm~~
6 ~~system.~~

7 ~~(r)~~ ~~(s)~~ "Local alarm system" means any alarm system, which is not monitored, that
8 annunciates an alarm only at the alarm site.

9 ~~(s)~~ ~~(t)~~ "Monitoring" means the process by which a monitoring company receives
10 signals from an alarm system and relays an alarm dispatch request to the municipality for the
11 purpose of summoning law enforcement to the alarm site.

12 ~~(u) "Monitoring company" means a person in the business of providing monitoring services.~~

13 ~~(t)~~ ~~(v)~~ "One-plus duress alarm" means the manual activation of a silent alarm signal by
14 entering at an arming station a code that adds one to the last digit of the normal arm/disarm
15 code (e.g., normal code: 1234, one-plus duress code: 1235).

16 ~~(u)~~ ~~(w)~~ "Panic alarm" means an audible alarm system signal generated by the manual
17 activation of a device intended to signal a life threatening or emergency situation requiring law
18 enforcement response.

19 ~~(v)~~ ~~(x)~~ "Person" means an individual, corporation, partnership, association,
20 organization or similar entity.

21 ~~(w)~~ ~~(y)~~ "Responder" means an individual capable of reaching the alarm site within 45
22 minutes and having access to the alarm site, the code to the alarm system and the authority
23 to approve repairs to the alarm system.

24 ~~(x)~~ ~~(z)~~ "SIA Control Panel Standard CP-01" means the ANSI—American National
25 Standard Institute approved Security Industry Association—SIA CP-01 Control Panel

1 Standard, as may be updated from time to time, that details recommended design features for
2 security system control panels and their associated arming and disarming devices to reduce
3 the incidence of false alarms. Control panels built and tested to this standard by Underwriters
4 Laboratory (UL), or other nationally recognized testing organizations, will be marked to state:
5 "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False
6 Alarm Reduction."

7 ~~(v)~~ ~~(aa)~~ "Takeover" means the transaction or process by which an alarm user takes
8 over control of an existing alarm system, which was previously controlled by another alarm
9 user.

10 ~~(z)~~ ~~(bb)~~ "Tax Collector" ~~"Treasurer"~~ means the Treasurer-Tax Collector of the City and
11 County of San Francisco.

12 ~~(aa)~~ ~~(ee)~~ "Verify" means an attempt by the monitoring company, or its representative, to
13 contact the alarm site by telephonic or other electronic means, whether or not actual contact
14 with a person is made to determine whether an alarm signal is valid before requesting law
15 enforcement dispatch in an attempt to avoid an unnecessary alarm dispatch request.

16 ~~(bb)~~ ~~(dd)~~ "Zones" means division of devices into which an alarm system is divided to
17 indicate the general location from which an alarm system signal is transmitted.

18 ~~(cc)~~ ~~(ee)~~ "Department of Emergency Communications" and "Director of Emergency
19 Communications" ~~or~~ "Director" mean the Department of Emergency Communications and
20 Director of Emergency Communications of the City and County of San Francisco,
21 respectively.

22 / / /

23 / / /

24 / / /

1 Section 2. The San Francisco Police Code is hereby amended by amending
2 Section 3707, to read as follows:

3 **SEC. 3707. LICENSE PERMIT REQUIRED; APPLICATION; FEE; ~~FALSE STATEMENTS;~~**
4 **TRANSFERABILITY; ~~FALSE STATEMENTS.~~**

5 (a) No alarm user shall operate or cause to be operated, an alarm system at its
6 alarm site without a valid alarm license permit. A separate alarm license permit is required for
7 each alarm site.

8 (b) There shall be a fee, to be paid by the alarm user, for an alarm license permit or
9 an alarm license permit renewal. There shall be separate license permit fees for residential and
10 commercial premises, and the fees shall be non-refundable. The initial alarm license permit
11 fee must be paid to the alarm installation company at the time the alarm system is installed or to the
12 alarm monitoring company at the time the alarm user contracts with the company for monitoring
13 services. If the alarm user does not use an alarm installation or monitoring company, the fee must be
14 submitted to the Tax Collector Treasurer within five (5) days after the alarm system installation
15 or alarm system takeover. ~~The Treasurer shall give the applicant a receipt at the time the permit fee~~
16 ~~is paid which shall serve as a temporary receipt until the regular permit is issued.~~

17 (c) Upon receipt of a completed alarm license permit application form and the alarm
18 license permit fee, the Tax Collector Treasurer shall assign a license number ~~issue a permit~~ to the
19 applicant unless the applicant has:

- 20 (1) Failed to pay a penalty assessed under Section 3714; or
21 (2) Had an alarm license permit for the alarm site suspended or revoked, and the
22 violation causing the suspension or revocation has not been corrected.

23 (d) Each alarm license permit application must include information in a form and
24 fashion specified by the Tax Collector Treasurer. The application shall be signed by the
25 applicant under penalty of perjury.

1 (e) Any false statement of a material fact made by an applicant for the purpose of
2 obtaining an alarm ~~license permit~~ shall be sufficient cause for refusal to issue a ~~license permit~~.

3 (f) An alarm ~~license permit~~ cannot be transferred to another person or alarm site.
4 An alarm user shall inform the ~~Tax Collector Treasurer~~ of any change that alters any of the
5 information listed on the alarm ~~license permit~~ application within five (5) business days of such
6 change.

7 (g) All fees owed by an applicant must be paid before an alarm ~~license permit~~ may
8 be issued or renewed.

9
10 Section 3. The San Francisco Police Code is hereby amended by amending
11 Section 3708, to read as follows:

12 **SEC. 3708. ALARM ~~LICENSE PERMIT~~ DURATION AND RENEWAL.**

13 An alarm ~~license permit~~ shall expire at 12:01 a.m. on January 1 of each year ~~one year from~~
14 ~~the date of issuance~~, and must be renewed every year by submitting an updated application and
15 a ~~license permit~~ renewal fee to the Tax Collector, directly or through an alarm company Treasurer.
16 ~~The Treasurer shall notify each alarm user of the need to renew thirty (30) days prior to the expiration~~
17 ~~of the permit~~. It is the responsibility of the alarm user to submit an application prior to the
18 ~~license permit~~ expiration date. Failure to renew will be classified as use of a non-licensed non-
19 permitted alarm system and citations and penalties, including penalties provided in Sections
20 3710.5 and 3714, shall be assessed without waiver. ~~A late fee in the amount of one half of the~~
21 ~~permit renewal fee may be assessed if the renewal is more than thirty (30) days late.~~

22
23 / / /
24 / / /
25 / / /

1 Section 4. The San Francisco Police Code is hereby amended by amending
2 Section 3709, to read as follows:

3 **SEC. 3709. DUTIES OF THE ALARM USER.**

4 (a) An alarm user shall:

5 (1) Maintain the alarm site and the alarm system in a manner that will minimize or
6 eliminate false alarms;

7 (2) Make every reasonable effort to have a responder to the alarm system's location
8 within 45 minutes when requested by the Police Department in order to;

9 (A) Deactivate an alarm system;

10 (B) Provide access to the alarm site; and/or

11 (C) Provide alternative security for the alarm site.

12 (3) Not activate an alarm system for any reason other than an occurrence of an
13 event that the alarm system was intended to report.

14 (b) An alarm user shall adjust the mechanism or cause the mechanism to be
15 adjusted so that an alarm signal audible on the exterior of an alarm site will sound for no
16 longer than fifteen (15) ~~ten (10)~~ minutes after being activated.

17 ~~(c) An alarm user shall have a licensed alarm installation company inspect the alarm~~
18 ~~system after two (2) false alarms in a one (1) year period. The Treasurer may waive a required~~
19 ~~inspection if he or she determines that a false alarm(s) could not have been related to a defect or~~
20 ~~malfunction in the alarm system. After four (4) false alarms within a one (1) year period, the alarm~~
21 ~~user must have a licensed alarm installation company modify the alarm system to be more false alarm~~
22 ~~resistant or provide additional user training as appropriate.~~

23 ~~(c) (d)~~ An alarm user shall not use automatic voice dialers.

24 ~~(d) (e)~~ An alarm user shall maintain at each alarm site a set of written operating
25 instructions for each alarm system.

1 (e) ~~(f)~~ In order to reduce false alarms due to initial equipment problems, alarm users
2 may agree with their alarm installation company and/or monitoring company to go through an
3 "acclimation period" for the first seven (7) days after installation of an alarm system during
4 which time the alarm installation company and/or monitoring company will have no obligation
5 to and will not respond to an alarm signal from the alarm site and will not make an alarm
6 dispatch request to the Department of Emergency Communications, even if the alarm signal is
7 the result of an actual alarm event.

8 ~~(g) — An alarm user or alarm installation company shall notify the Department of Emergency~~
9 ~~Communications prior to any service, test, repair, maintenance, adjustment, or installation of an alarm~~
10 ~~system which would normally result in a police response. An alarm activated, where such prior notice~~
11 ~~has been given, shall not constitute a false alarm.~~

12
13 Section 5. The San Francisco Police Code is hereby amended by amending
14 Section 3710, to read as follows:

15 **SEC. 3710. DUTIES OF ALARM INSTALLATION COMPANY AND MONITORING**
16 **COMPANY.**

17 (a) The alarm installation company shall provide written and oral instructions to
18 each of its alarm users in the proper use and operation of their alarm systems. The
19 instructions will specifically include all instructions necessary to turn the alarm system on and
20 off and to avoid false alarms.

21 (b) Upon the effective date of this Article, alarm installation companies shall not
22 program alarm systems so that they are capable of sending one-plus duress alarms.
23 Monitoring companies may continue to report one-plus duress alarms received from alarm
24 systems programmed with one-plus duress alarms prior to enactment of this Article.
25 However, upon the effective date of this Article, when a takeover or conversion occurs or if an