

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF BREA REVISING REGULATIONS APPLICABLE TO THE  
OPERATION OF ALARM SYSTEMS, AND AMENDING TITLE  
8 OF THE BREA CITY CODE.**

The City Council hereby ordains as follows:

Section 1. Section 8.38.030 of Title 8 of the Brea City Code is hereby amended by revising the definition of "Non-response status" to read as follows:

"'Non-response status' means that status of police service whereby the Brea Police Department will not respond to a specified alarm system."

Section 2. Subsections "A" and "G" of § 8.38.040 of Chapter 8.38 of Title 8 of the Brea City Code are hereby amended to read as follows:

"A. Permit required.

No alarm subscriber shall install, replace, maintain, or operate an alarm system within the City, excepting government and public school buildings, without applying for and receiving an alarm system permit in accordance with the provisions of this section. Following thirty (30) days' prior written notification, any alarm system which has been installed, replaced, maintained, or operated without a valid permit, may be placed on non-response status by the Alarm Officer according to the procedures set forth in § 8.38.110 of this Chapter until a permit has been issued or renewed. Permits for the installation, use and maintenance of automatic dialing devices are subject to the provisions of § 8.38.130 of this Chapter.

"G. Rules and regulations.

The Alarm Permit Coordinator may promulgate additional rules and regulations implementing the provisions of this Chapter. Such rules and regulations may include, but are not limited to, establishing criteria for the waiver of fees consistent with the intent and purpose of this Chapter."

Section 3. Section 8.38.050 of Chapter 8.38 of Title 8 of the Brea City Code is hereby amended to read as follows:

**"§ 8.38.050 REQUIRED RESPONSE; SILENCING ALARM SYSTEMS.**

Upon notification by the Alarm Officer that an alarm system is activated, the alarm subscriber, or the representative or alarm agent of the alarm subscriber, shall immediately proceed to the location and silence the alarm. The silencing shall be completed within

thirty (30) minutes after notification when the alarm system is protecting a residential structure or within forty-five (45) minutes when the alarm system is protecting a commercial or industrial structure. Alternately, the alarm system may be equipped with an automatic shut-off device which shall silence the alarm within fifteen (15) minutes after activation when the alarm system is protecting a residential structure or within thirty (30) minutes of activation when the alarm system is protecting a commercial or industrial structure, thus eliminating the need for personal responses otherwise required by this section. The failure of an alarm subscriber to comply with the response and alarm silencing time limits set forth herein shall be chargeable as a false alarm."

Section 4. Subsection "B" of § 8.38.090 of Chapter 8.38 of Title 8 of the Brea City Code is hereby amended to read as follows:

"B. Inspections.

The Alarm Officer may, prior to placing an alarm on non-response status and/or as a condition of re-issuance of an alarm permit, require an alarm subscriber to have a nuisance alarm system under the subscriber's control inspected at the subscriber's expense, by the company providing the alarm subscriber's alarm services, or other person qualified to inspect and service such equipment. Inspections shall be complete enough to detect any likely malfunctions and shall include testing of the equipment. Particular attention shall be paid to the conditions that have the potential of causing false alarms. The person making the inspection shall provide a written report to the alarm subscriber and the Alarm Officer, detailing measures taken to eliminate the likelihood of further false alarms caused by the alarm system. The report shall be kept on the premises for two (2) years, and shall be subject to inspection by the Alarm Officer upon request."

Section 5. Subsection "B" of § 8.38.130 of Chapter 8.38 of Title 8 of the Brea City Code is hereby amended to read as follows:

"B. Application for permit and permit conditions.

1. Applications for permits under this Section shall be made on such forms as may be prescribed by the Alarm Permit Coordinator and shall be signed by the alarm subscriber and the person who provides or installs such device.

2. The device must be programmed to initiate and deliver the recorded message or signal only to such City telephone number or numbers as may be assigned by the Alarm Permit Coordinator.

3. The alarm subscriber must notify the Alarm Permit Coordinator if the use of such device is discontinued.

4. Each user of an automatic dialing device is subject to payment of reimbursement fees for false alarms pursuant to § 8.38.100."

Section 6. The City Clerk shall certify to the adoption of this Ordinance.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Mayor

I, Elaine Capps, City Clerk of the City of Brea, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Brea held on the \_\_\_\_ day of \_\_\_\_\_, 2004, and was finally passed at a regular meeting of the City Council of the City of Brea held on the \_\_\_\_ day of \_\_\_\_\_, 2004, by the following vote:

AYES:                      COUNCILMEMBERS:

NOES:                      COUNCILMEMBERS:

ABSENT:                      COUNCILMEMBERS:

ABSTAINED:                      COUNCILMEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Brea