

**ORDINANCE NO. 2019 – \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE  
AMENDING AND RESTATING TITLE 9, CHAPTER 9.30 OF THE LAKE ELSINORE  
MUNICIPAL CODE (LEMC) REGARDING SECURITY ALARM SYSTEMS**

**Whereas**, the City's law enforcement and fire personnel respond to nearly 3,000 false alarm calls per year, requiring limited public safety resources to be used for false alarm calls rather than other priority public safety calls for service; and,

**Whereas**, the City Council seeks to set forth regulations and assessments addressing excessive public safety responses necessitated by false alarms.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES ORDAIN  
AS FOLLOWS:**

**Section 1:** LEMC Chapter 9.30, Security Alarm Systems, is hereby amended and restated in its entirety as follows:

**Chapter 9.30**

**REGULATION OF FALSE ACTIVATIONS OF FIRE, BURGLARY AND ROBBERY ALARMS**

**Sections:**

<b>9.30.010</b>	<b>Definitions</b>
<b>9.30.020</b>	<b>Prohibitions</b>
<b>9.30.030</b>	<b>False alarm procedures</b>
<b>9.30.040</b>	<b>Excessive false alarms and service assessment</b>
<b>9.30.050</b>	<b>Violations and payment of service assessment</b>
<b>9.30.060</b>	<b>Appeal</b>

**9.30.010 Definitions.**

The terms used in this chapter have the meaning set forth below:

"Alarm system" means any device designed for the detection of a fire, or detection of any unauthorized entry on premises or for alerting others of the commission of an unlawful act or both, and when activated, emits a sound and/or transmits a signal to indicate that an emergency exists, and to which peace officers and/or fire officers are expected to respond.

"Alarm user" means any person using an alarm system at his or her place of business, residence or property.

"City" means the City of Lake Elsinore.

"False alarm" means the activation of an alarm system resulting in a response by a first responder when an emergency situation does not reasonably appear to exist; provided that alarm activations generated by natural disaster or other violent conditions of nature not subject to the control of the alarm user shall not constitute a false alarm.

“Fire department” means the CALFIRE/Riverside County Fire Department officers as designated by the City for fire protection.

“First responders” means Riverside County Sheriff or Riverside County Fire Department officers as designated by the City for law enforcement or fire protection.

“Person” means natural person, firm, partnership, association or corporation.

“Police department” means the Sheriff’s Department of the County of Riverside providing law enforcement services to the City.

“Service assessment” means a fee paid to the city after an excessive number of false alarms within the specified period of time based on the cost of service to the City.

### **9.30.020 Prohibitions.**

- A. No person shall use or cause to be used any telephone device or telephone attachment that automatically selects a public telephone trunk line to the police department and then reproduces any pre-recorded message to report any unlawful act or other emergency.
- B. All alarm systems sold for installation and installed within the City shall utilize approved Underwriter's Laboratories or equivalent rated and protected equipment.
- C. No person shall operate or use, or cause to be operated or used, any alarm system that emits a sound like that of any emergency vehicle siren or civil defense warning system.
- D. No person shall operate or use, or cause to be operated or used, an alarm system designed to report an armed robbery (as defined in California Penal Code Section 211 et seq.) for any purpose other than reporting robberies or other crimes involving potential immediate serious bodily injury or death.
- E. No person shall knowingly turn in a false alarm. This section does not prohibit a test of an alarm system if procedures are taken to ensure that the police department and/or fire department is notified of the intended test prior to the activation.

### **9.30.030 False alarm procedures.**

If the first responders determine that a false alarm has occurred, the officer responding to the alarm shall leave a notice at the premises which shall include the date and time of the response and a statement that the alarm was a “false alarm.” The notice shall also state that the user should act to correct the causative problems and a warning that more than two false alarms, including, but not limited to, more than two false fire alarms, or false robbery or burglar alarms, in any 12-month period is excessive.

### **9.30.040 Excessive false alarms and service assessment.**

- A. Three or more false alarms within a 12-month period, commencing from the date of the first false alarm, is deemed an excessive number of false alarms.

- B. Multiple activations of an alarm system within a single calendar day shall count as only one false alarm for the purposes of this chapter.
- C. A service assessment shall be paid to the City by an alarm user after an excessive number of false alarms have been received from a business, residence or property.
- D. The amount of the service assessment shall be set according to resolution adopted by the City Council.

**9.30.050 Violations and payment of service assessment.**

- A. Violations and payment of a service assessment as provide in this chapter may be enforced pursuant to the provisions of Chapter 1.20 LEMC.
- B. Payment of a service assessment shall not excuse or discharge any continuation or repeated occurrence of the violation that is the subject of the citation.

**9.30.060 Appeal.**

A citation for violation of this chapter may be appealed pursuant to the provisions of Chapter 1.20 LEMC.

**Section 2: Severability.** If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

**Section 3: Effective Date.** This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31<sup>st</sup>) day after the date of adoption.

**Section 4: Certification.** The City Clerk shall certify to the passage of this Ordinance and shall cause a synopsis of the same to be published according to law.

**Passed and Adopted** on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Steve Manos  
Mayor

Attest:

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Mark Mahan,  
Deputy City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    ) ss.  
CITY OF LAKE ELSINORE    )

I, Mark Mahan, Deputy City Clerk of the City of Lake Elsinore, do hereby certify that the foregoing Ordinance No. 2019-\_\_\_\_\_ was introduced at the Regular meeting of \_\_\_\_\_, 2019, and adopted by the City Council of the City of Lake Elsinore at its Regular meeting of \_\_\_\_\_, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Lake Elsinore, California on the \_\_\_\_\_day of \_\_\_\_\_, 2019, and on the \_\_\_\_\_day of \_\_\_\_\_, 2019.

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Mark Mahan  
Deputy City Clerk