

Print

Vernon, CA Code of Ordinances

**CHAPTER 19**  
**Police Permits.\***

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\* *Editor's Note*—The title of Chapter 19, Police Permits, as adopted by Ordinance No. 1051 was amended by Ordinance No. 1054, Section 4 to read Police Permits.

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## **Article I. In General.**

### **Sec. 19.1. Application.**

Any person required to obtain a permit to engage in, conduct, or carry on any business or activity pursuant to this chapter shall file an application therefor in writing with the police department, specifying the place where such business or activity is proposed to be engaged in, conducted or carried on and such other information as may be required. Such application shall be signed by the applicant and shall contain the address of such applicant. (Ord. No. 1051, § 2, Exh. A.)

### **Sec. 19.2. Compliance with laws prerequisite to issuance.**

No permit to engage in, conduct or carry on any business or activity pursuant to this chapter shall be granted to any person who fails, refuses, or neglects to comply with the laws and ordinances relating to and regulating the business or activity for which such permit is sought. (Ord. No 1051, § 2, Exh. A.)

### **Sec. 19.3. Revocation or suspension—Generally.**

In the event that any person holding a permit to engage in, conduct or carry on any business or activity pursuant to this chapter shall violate any of the provisions of this chapter, or any provision of any other ordinance of the city, or any law relating to or regulating any such business, or shall conduct or carry on any such business or activity in an unlawful manner, such permit may be revoked by the city council in accordance with the provisions of this chapter. Any such permit may be temporarily suspended by the chief of police pending a hearing by the city council. Such temporary suspension shall become permanent unless appealed by the permittee. (Ord. No. 1051, § 2, Exh. A.)

**Sec. 19.4. Same—Hearing required; notice of hearing.**

No permit to engage in, conduct, or carry on any business or activity pursuant to this chapter may be revoked by the city council until a hearing, upon written notice to the permittee, shall have been held by the city council. Written notice of such hearing shall be served upon the permittee either by personal delivery thereof to the person to be notified, or by depositing the notice in the United States mail, in a sealed envelope, postage prepaid, addressed to such person to be notified, at the address given in the appeal or at the last-known business or residential address, as the same appears from the records pertaining to the application for the permit to conduct the business. Service by mail shall be deemed to have been completed five days after the time of depositing the notice in the post office, and proof of mailing such notice may be made by the certificate of any officer or employee of the city or by affidavit of any person over the age of eighteen years, which shows service in conformity with this chapter. (Ord. No. 1051, § 2, Exh. A.)

**Sec. 19.5. Same—Issuance of new permits after revocation.**

If the permit of any person to engage in, conduct or carry on any business or activity under the provisions of this chapter shall be revoked, no permit shall be granted to such person to engage in, conduct or carry on such business or activity within six months after such revocation. (Ord. No. 1051, § 2, Exh. A.)

**Sec. 19.6. Penalties for violation.**

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment. (Ord. No. 1051, § 2, Exh. A.)

**Secs. 19.7. to Sec. 19.9. Reserved for future use.**

**Article II. Emergency Burglar and Alarm Systems.****Sec. 19.10. Purpose.**

The purpose of this article is to set forth regulations governing burglary and robbery alarm systems, alarm businesses and agents within the city, require permits therefor, establish fees, and provide for the punishment of violations of provisions of this article. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.11. Definitions.**

For the purposes of this article, certain words and phrases shall be construed herein as set forth in this section, unless it is apparent from the context that a different meaning is intended:

*Alarm agent* means any person who is employed by an alarm business, either directly or indirectly, whose duties include any of the following: selling, maintaining, leasing, servicing, repairing, altering, replacing, moving or installing on any building, place or premises an alarm system in the city.

**EXEMPTION:** The provisions of this section do not include a person who engages in the manufacture or sale of an alarm system from a fixed location and who neither visits the location where the alarm system is to be installed, nor designs the scheme for physical location and installation of the alarm system in a specific location.

*Alarm business* means the business by any individual, partnership, corporation or other entity of: selling, leasing, maintaining, servicing, repairing, altering, replacing moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved, or installed any alarm system in or on any building, structure, or facility.

*Alarm system* means any device designed for the protection from any unauthorized entry on or into any building, place or premises, or for alerting others of the commission of any unlawful act, or both.

*Alarm user* means any person, firm, partnership, association, or corporation who possesses or uses an alarm system.

*Appellant* means a person, firm, partnership, association, or corporation who perfects an appeal pursuant to this article.

*Applicant* means a person, firm, partnership, association or corporation who, or which, files an application for a new or renewal permit as provided in this article.

*Audible alarm* means that type of alarm system, which, when activated, emits an audible sound.

*City administrator* means the city administrator of the City of Vernon or his authorized representative.

*Excessive* is defined as more than eight false alarms in a twelve month calendar period.

*False alarm* means the activation of an alarm system through mechanical failure, malfunction, improper installation or through the negligence of the owner or lessee of an alarm system, or his employees or agents which necessitates a response by the Vernon Police Department where an emergency situation does not exist. Alarms caused by acts of God, electrical interruptions, flooding or other violent conditions or acts of third parties caused by an illegal entry or attempted entry as determined by the responding police officer are not to be considered false alarms.

*Notice* means written notice, given by personal service upon the addressee, or given by United States Mail, postage prepaid, addressed to the person to be notified at his last known address. Service of such notice shall be effective upon the completion of personal service, or upon the placing of the same in the custody of the United States Postal Service.

*Owner, lessee or subscriber* means any member of the public who subscribes to the service of any person, firm or corporation engaged in the business of selling and installing alarm systems within the city.

*Permittee* means any person, firm, partnership, association, or corporation who, or which shall be granted a permit as provided herein, and his or its agents and representatives.

*Police department* means the police department of the City of Vernon.

*Chief of police* means the chief of the police department or his authorized representative.

*Reporting telephones* means any intrusion detection device which, when activated, causes mechanically, electronically, or by any other automatic means, intrastate dialing of any telephone number and then transmits a prerecorded message.

*Silent alarm* means that type of alarm system which, when activated, sounds a bell or buzzer or turns on a light at a predesignated place other than the location where the alarm has been installed. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

#### **Sec. 19.12. License for alarm business.**

No person shall engage in, conduct, or carry on an alarm business within the city without first applying for and receiving a state alarm company operator license therefor in accordance with the provisions of Division 3, Chapter 11.6 of the California Business and Professions Code (Sections 7590, et seq.) and filing a copy of such license with the city police department. In the event its license is suspended, revoked, or otherwise rendered invalid by the state issuing authority, the alarm business shall notify the police department in writing of such state action within three days thereof. Each alarm business owner and/or operator is required to provide the police chief with the name, address and phone numbers of each new subscriber within the incorporated city limits of Vernon, prior to the activation of a new alarm system, or upon notification that an existing alarm system has been sold or transferred to another subscriber. (Ord. No. 935, § 1; Ord. No. 1027, § 2; Ord. No. 1051, § 3.)

#### **Sec. 19.13. Registration of alarm agent.**

No person shall operate as an alarm agent within the city without first applying for and receiving a state registration therefor in accordance with the provisions of Division 3, Chapter 11.6 of the Business and Professions Code (Sections 7590, et seq.) and filing a copy of such registration with the police department. (Ord. No. 935, § 1; Ord. No. 1027, § 2; Ord. No. 1051, § 3.)

#### **Sec. 19.14. Permit for alarm systems.**

(a) *Required.* Every alarm user shall obtain from the police chief an alarm system permit for each alarm system it operates within the city and shall display or post said permit in a conspicuous place on the premises where the alarm system is located unless the police chief specifies a specific place for the posting of said notice.

(b) *Application.* The alarm user applying for the permit required in paragraph (a) of this section shall state on a permit application form, to be prepared by the police department and approved by the city attorney the following information:

(1) Applicant's name, address and telephone number where he/she can be reached at any time, for the purposes of responding to an alarm signal and opening the premises in which the system is installed;

(2) The address of the residence or business or businesses in or upon which the alarm system has been or will be installed;

(3) The type of alarm system, local, direct connect, central station, burglar, robbery, silent, audible, etc.;

(4) The name of the alarm business or business selling, installing, monitoring, inspecting, responding to or maintaining the alarm system;

(5) The name and telephone number of at least one other person (in the case of a corporate alarm user applicant, at least two persons) who can be reached at any time, who is authorized to respond to an alarm system signal and who can open the premises in which the system is installed.

(c) An alarm system permit shall automatically terminate upon any change of principal, type of system or protected premises. No permit may be transferred to another principal, different class of system or protected premises. No refunds will be given on termination or suspension of any permit for any reason. Whenever there is a change in the information stated on the application, the applicant must submit written notice to the police chief of said change within twenty days after such change occurs.

(d) *Fee.* The alarm user shall pay fees in amounts established by resolution of the city council of the City of Vernon and said fees shall not be prorated. The alarm user shall pay an initial permit fee for the first year and an annual renewal fee every year thereafter while said permit is in force. If the annual renewal fee is not paid on or before June 30 of each year, a late charge will be assessed in addition to the annual renewal fee. In the event the chief of police authorizes a reissuance of a permit which was previously revoked or suspended, the alarm user shall pay a reinstatement fee.

(e) *Inspection.* Every alarm user licensed under this section shall be required to have such alarm system inspected prior to submitting an application for an alarm system permit by a licensed alarm business; and the alarm business making such inspection is required to report the results in writing to the police department.

(f) *Confidentiality of information.* The information contained in an alarm system permit application required by this section and other information received by the police chief through correspondence or communications with an alarm user, shall be securely maintained and restricted to inspection only by the police chief or certain officers or city employees specifically assigned the responsibility of handling and processing alarm system permits in the course of official duties.

(g) *Violations.* Any alarm user who operates an alarm system without first obtaining a permit as required by this section, or who, after having a permit revoked or suspended and after exhausting his rights to hearing and appeal, fails to disconnect his alarm system, shall be in violation of this article.

(h) *City obligations.* The city shall not, by the issuance of any alarm system permit, be obligated to respond or accord any priority to an alarm from such system. (Ord. No. 935, § 1; Ord. No. 937, § 2; Ord. No. 967, § 2; Ord. No. 1051, § 3.)

**Sec. 19.15. Alarm system permit—Grounds for denial.**

An application for an alarm system permit may be denied if:

(a) The applicant knowingly made any false, misleading or fraudulent statement of a material fact in an application for a permit or in any report or record required to be filed with the city, pursuant to the provisions of this article.

(b) The applicant has had a similar type permit previously revoked for good cause within the past year unless the applicant can show a material change in the circumstances since the date of revocation. (Ord. No. 935, § 1; Ord. No 937, § 3; Ord. No. 1051, § 3.)

**Sec. 19.16. Systems requirements.**

(a) No alarm system shall be installed, used or maintained in violation of any of the requirements of this Code, or of any applicable statute, law or administrative requirement of the United States of America, the State of California, or any administrative rule-making body thereof.

(b) The holder of an alarm system permit shall be responsible for training and retraining all employees, family members and other persons who may make regular use of the protected premises and who may, in the normal course of their activities, be in a position to accidentally trigger a sensor. Such training shall include procedures and practices to avoid accidental alarms, and steps to follow in the event the system is accidentally triggered.

(c) The holder of an alarm system permit shall, at all times, be responsible for the proper maintenance and repair of the system, and for the repair and/or replacement of any component, method of installment, design feature or like condition which may give rise to a false alarm.

(d) Upon notification by the police department that an audible alarm is activated, the permittee, his representative, or his alarm agent, shall immediately proceed to silence the alarm. For purposes of this article, "immediately" means within thirty minutes of notification by the police department. Alternatively, the alarm system may be equipped with an automatic shut-off device which shall silence the alarm within thirty minutes, thus eliminating the need for a personal response as otherwise required therein.

(e) Each alarm must be equipped so as not to sound due to power outages, and must have a standby battery pack to operate the alarm for at least four hours.

(f) No person, except an authorized representative of a public utility engaged in the business of providing communication services and facilities, shall use or operate, attempt to use or operate, or cause to be used or operated, or arrange, adjust, program or otherwise provide or install, any device or combination of devices that will, upon activation, either mechanically, electronically, or by other automatic means, initiate an intrastate call and deliver a recorded message to any telephone number used for the receipt of emergency or governmental, administrative messages by the police department, or any administrative office or department of the city. The term "telephone number" includes any additional numbers associated with such emergency or governmental, administrative telephone number through the use of a rotary or other system whereby additional telephone calls to the number are connected to other numbers when the first number is in use.



(g) Alarm systems are primarily designed to alert regarding intrusion or robbery. Any use of an alarm system to summon the police where a telephone call would best serve the purpose will constitute a misuse of the alarm system and a violation of this article. For example, the use of an alarm system to summon police to a brawl or other disturbance would be a misuse of the system. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.17. Alarm agents — State identification cards in possession.**

Every person operating as an alarm agent within the city shall carry on his person at all times while so engaged a valid state alarm agent identification card and shall display such card to any police officer or alarm user upon request. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.18. Display of state alarm company operator license.**

Every person engaged in, conducting or operating an alarm business within the city shall post on the premises where the alarm business is located a copy of a valid state alarm company operator's license. The city finance department may establish requirements for the issuance of an appropriate license identification tag. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.19. Record of inspection.**

Each alarm business, alarm agent or permittee shall display to the police chief or his authorized representative, when requested, their record of inspection, maintenance, or repair of any installed alarm system. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.20. Obligation to instruct alarm system operators.**

Each alarm business, alarm agent or permittee which installs or services an alarm system shall clearly instruct the operators of the alarm system in the proper use and operation of the alarm system, as frequently as necessary, especially in those factors which can cause false alarms. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.21. Audible alarms similar to sirens prohibited.**

It is unlawful to install on the exterior or interior of a building an intrusion detection device or burglar alarm system which upon activation emits a sound exceeding eight decibels (when measured from anywhere outside the premises), or which is similar to sirens in use on emergency vehicles or for civil defense purposes. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.22. Alarm systems which constitute a hazard to responding public safety officers.**

No permit shall be issued for an alarm system which, due to the nature of its construction and/or installation, constitutes an unreasonable hazard to life and limb of responding public safety officers. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.23. Connection of alarm systems to city communications center.**

The police chief is authorized to enforce rules and regulations, adopted by resolution of the city council, governing the connection of private burglar and/or robbery systems to the city communications center or other city approved communications center. Such rules and regulations shall prescribe minimum standards for the manner in which the said connections are to be made, the equipment and devices which shall be used to accomplish said connection, and the manner in which the said equipment and devices shall be maintained and their cost defrayed.

No person, business or concern may connect or continue to have eonnected any burglary and/or robbery alarm system to the city eommunications center or other city approved communications centers, unless and until he has complied with all such rules and regulations. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.24. Repealed by Ord. No. 967, § 1; renumbered by Ord. No. 1051, § 3.**

**Sec. 19.25. Permit renewal.**

Permits issued under this article shall expire on June 30 of each fiscal year unless an application for renewal is granted. Such renewal application shall be processed in the same manner as applications for the initial permit. Renewal permits shall be dated July 1. The renewal permit will not be issued until the fees are paid. The renewal application shall contain the principal's signed statement that there have been no changes in principal, protected premises or other type of alarm system. (Ord. No. 935, § 1; Ord. No. 967, § 3; Ord. No. 1051, § 3.)

**Sec. 19.26. Grounds for suspension and revocation.**

The following shall constitute grounds for suspension and revocation of a permit:

- (a) The violation of any of the provisions of this article.
- (b) The failure to comply with the standards and regulations adopted pursuant to section 19.16.
- (c) When an alarm system actuates excessive false alarms and thereby constitutes a public nuisance.
- (d) When the applicant or permittee, or his employee or agent, has knowingly made any false, misleading or fraudulent statement of a material fact in the application for a permit or in any report or record required to be filed with any city agency which is discovered after the permit has been issued.

(e) When the applicant or permittee, or his designated representative immediately following an alarm activation fails to respond within thirty minutes to a request for access to the protected premises, upon a request to do so by a city police officer or city dispatcher who deems a response necessary to insure the security of the premises or persons where the system is installed. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.27. Procedure for suspension and revocation.**

The chief of police may suspend any permit issued under this article for any of the grounds provided for in section 19.26. In order to suspend such permit, the chief of police shall first serve the permittee with a notice of intent to issue a written order of suspension. Said notice shall provide a date for the issuance of said order not later than fifteen days from the date of said notice. The chief of police shall have the right to withdraw the notice of intent, establish a new time period for the assessment of service charges under section 19.31, and not issue a written order of suspension upon receipt of satisfactory evidence which would indicate that there will be a significant reduction in future false alarms by making necessary system modifications or operating policy revisions and/or additional operator training. In the event the notice of intent is not withdrawn, then the chief shall issue a written order of suspension which shall state the reasons for such suspension. The order shall be effective immediately, if personally served, or forty-eight hours after the same has been deposited in the course of transmission in said United States Postal Service.

Immediately upon such an order becoming effective, the permittee shall discontinue the use of an alarm system requiring a permit under this article and cease all operations conducted under the authority of any permit issued pursuant to this article. Further, in the event permittee fails to cease all operations, the police department will not respond to any alarms issued from the alarm system without a valid and effective permit in accordance with this article. (Ord. No. 935, § 1; Ord. No 967, § 4; Ord. No. 1051, § 3.)

**Sec. 19.28. Notices.**

(a) Notice or billing from the city to any permit holder shall be deemed to have been given or rendered on the date such notice or billing is deposited in the U.S. Mail, first class postage, prepaid, addressed to the permit holder at the address shown in the city's permit records, a certificate signed by the person who mailed the notice shall be prima facie evidence of the facts stated therein with respect to such notice.

(b) Notice to the city or payment under this article shall be effective when received at the appropriate city office. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.29. City council appeal.**

The suspension shall become a permanent revocation of said permit fifteen days after the order of suspension becomes effective, unless the permittee files an appeal of the order of suspension in the manner set forth in this article. When an appeal is filed, the order of suspension shall be stayed pending a determination thereof by the city council. Such suspension shall become a

revocation of said permit if upheld by the city council. The suspension shall be dissolved immediately if the decision of the city council reverses the suspension. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.30. Surrender of permit.**

If any permit is revoked pursuant to this article, the permittee shall immediately surrender said permit to the police department. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.31. Police department response service charges.**

Service charges which shall be set by resolution of the city council shall be paid to the city by each subscriber of an alarm system for a fourth, fifth, sixth and each subsequent response made to the location of a false alarm by the police department during the same fiscal year.

Failure to pay service charges within thirty days of receiving notice of such charges constitutes grounds for suspension and revocation of the alarm system permit. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.32. Right of appeal.**

(a) Any person aggrieved by the decision of the chief of police, with reference to any matter covered by this article shall have the right to appeal to the city council.

(b) The aggrieved person may informally seek relief from a decision of the chief of police by presenting evidence to the city administrator that the deficiencies in the alarm system, or its operation, have been rectified. That evidence must be presented within fifteen days of the effective date of an order of suspension. Within five working days of the date upon which the evidence is presented, the city administrator shall notify permittee of his decision. In the event informal relief is not granted, the aggrieved person has an additional fifteen days from the date of notification of the decision by the city administrator to file a formal appeal with the city council as provided for herein.

(c) A statement setting forth fully the grounds of such appeal shall be filed with the city clerk within fifteen days after notice of the decision of the chief of police and/or city administrator has been delivered to such person or mailed to his last known address. The city clerk shall set a time and place for hearing on the appeal and shall promptly give notice of such hearing to the appellant. Such notice shall be in writing and shall be mailed to the appellant at his last known address at least five days prior to the date of hearing. The decision and order of the city council on such appeal shall be final and conclusive. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.33. Penalties for violations.**

Any person violating any of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by

imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Sec. 19.34. Enforcement.**

The conviction and/or punishment of any person or corporation for violation of the provisions of this article or for failing to secure a permit as required by this article shall not relieve such person or corporation from paying the permit fee due and unpaid at the time of such conviction, nor shall payment of any permit fee prevent criminal prosecution for violation of any of the provisions of this article. All remedies shall be cumulative and the use of one or more remedies by the city shall not bar the use of any other remedy for the purpose of enforcing the provisions of this article. The amount of any permit fee or response service charge shall be deemed a debt to the city. An action may be commenced in the name of the city in any court of competent jurisdiction for the amount of any delinquent permit fee or delinquent response service charge. All permit fees shall be deemed delinquent thirty days after they are due and payable. (Ord. No. 935, § 1; Ord. No. 1051, § 3.)

**Secs. 19.35 to 19.39. Reserved for future use.**