

ORDINANCE 2022- 04

**AN ORDINANCE OF THE CITY OF SUNNYSIDE, WASHINGTON
AMENDING CHAPTER 9.90 OF THE SUNNYSIDE MUNICIPAL
CODE, PERTAINING TO ALARM SYSTEMS.**

WHEREAS, pursuant to Chapter 35A.13 of the Revised Code of Washington, the City Council is charged with the legislative authority of the City of Sunnyside; and

WHEREAS, Chapter 9.90 of the Sunnyside Municipal Code governs fees and requirements for false alarms occurring within the City; and

WHEREAS, the City Council has determined that Chapter 9.90 should be amended to include updated fee schedules and other provisions related to alarm systems; and

WHEREAS, the City Council has determined that adoption of these amendments is in the best interests of residents of the City of Sunnyside and will promote the general health, safety, and welfare.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

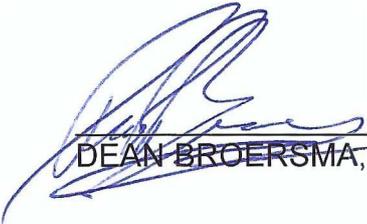
Section 1. Chapter 9.90 SMC is amended as set forth in **Exhibit A** attached hereto and incorporated herein by this reference.

Section 2. Except as amended herein, Title 9 SMC shall remain unchanged.

Section 3. That the fee rates adopted herein shall apply to the billing issued on January 31, 2022 and all subsequent billings, unless amended as provided herein.

Section 4. This Ordinance shall be effective five (5) days after passage, approval and publication as required by law.

PASSED this 24th day of January, 2022.



DEAN BROERSMA, MAYOR

ATTEST:

JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:



KERR FERGUSON LAW, PLLC
Attorneys for the City of Sunnyside

Exhibit "A"
Chapter 9.90
FALSE ALARMS

Sections:

- 9.90.010** **Definitions.**
- 9.90.020** **Response to alarms.**
- 9.90.030** **Fees for multiple false alarms.**
- 9.90.040** Failure to respond to alarm locations.
- 9.90.050** Nonpayment of false alarm and alarm location fees.

9.90.010 **Definitions.**

A. "Alarm" is defined as the sounding mechanism that is activated by an alarm system to give warning of danger by means of a sound or signal.

B. "Alarm system" is defined as an electrical detection system used for the purpose of sounding or otherwise transmitting an alarm to signal a breach of security or a fire; commonly known as a burglar alarm or a fire alarm.

C. For the purpose of this chapter, the term "false alarm" means the activation of a burglary and/or robbery or fire alarm by other than a forced entry or attempted forced entry to the premises, or by other than a fire and at a time when no burglary or robbery is being committed or attempted on the premises, or when no fire exists on the premises. [Ord. 1519 § 1, 1985; Ord. 1300 § 2, 1980.]

9.90.020 **Response to alarms.**

. The City will exercise reasonable efforts to respond to alarms as rapidly as available personnel are able. The City will incur costs in providing such emergency responses. When the City responds to a false alarm, the City should be reimbursed for its costs of providing personnel and equipment for an emergency response. Persons who maintain an alarm that falsely causes an emergency response by the City should bear some of those costs. [Ord.1519 § 1, 1985; Ord. 1300 § 1, 1980.]

9.90.030 **Fees for multiple false alarms.**

A. It shall be unlawful for the owner of any premises where an alarm system is in use to have more than two false alarm per calendar year. The owner of the premises where there are three or more false alarms in one calendar year shall pay to the City a penalty for each false alarm in excess of two per calendar year, as follows:

1. First and Second False Alarm within Calendar Year - No Charge.
2. Third False Alarm within Calendar Year - \$75.00.
3. Forth False Alarm within Calendar Year - \$85.00.
4. Fifth or More False Alarm within Calendar Year - \$100.00 each.

B. False alarm fees may be amended from time to time, as established by resolution of the City Council. [Ord. 1519 § 1, 1985; Ord. 1300 § 3, 1980.]

9.90.040 Failure to respond to alarm locations.

It is unlawful for the owner of premises maintaining an alarm system, either personally or through his designated agent, to fail to appear at the activated alarm location within a reasonable time (30 minutes) after being notified by the police or fire department to do so. Failure to appear within a reasonable time after notice of an activated alarm the owner shall be assessed a monetary fee of \$50.00 for the first 30-minute occurrence and \$50.00 for each incremental 30-minute period thereafter, not to exceed \$500.00 for each separate alarm event. For the purposes of this Chapter, notice is sufficient if emergency response personnel make a call to the business owner or agent's listed telephone number, regardless of whether the responder is able to reach any individual or leave a message.

9.90.050 Nonpayment of false alarm and alarm location fees.

The City Clerk/Finance Director shall bill the party responsible for paying the fees under SMC 9.90.030 and 9.90.040, and if the fees are not paid to the City Clerk/Finance Director within 30 calendar days after the date of the billing, the fees shall be assigned to a collection agency.