

**CHAPTER 14B.10 - BURGLARY AND
ALARM SYSTEMS**

14B.10.010 Purpose and Scope.

- A. The purpose of this chapter is to provide guidance and policy for alarm users and alarm businesses regarding responsible use of personal and business security and emergency alarms. The procedures herein ensure that owners or leasers of alarm systems and alarm companies know their responsibilities for maintaining the mechanical reliability and the proper use of alarm systems to prevent unnecessary police emergency response to false alarms. Proper use of alarms and accountability for improper use contributes to the protection of the emergency response capability of the City.
- B. This chapter governs burglary and robbery alarm systems, states the requirements of permitting systems, provides guidance for excessive false alarm fines, provides for discontinuation and/or reactivation of police response to locations with excessive false alarm occurrences, and establishes a system of administration within the Portland Police Bureau (PPB). Other chapters of the Portland City Code will continue to govern other emergency alarm types, such as fire or environmental hazard alarms.

14B.10.020 Definitions.

- A. "Alarm business" means any individual, partnership, corporation, or other entity whose business objective, in whole or in part, as direct provider of parts and services or agent for the direct provider of parts and services, is the selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing of any alarm system (as defined below).
- B. "Alarm site" means the location at which a subscriber's alarm system is installed.
- C. "Alarm system" means a device or series of devices, including, but not limited to, systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual, or electronic signal indicating an alarm condition and intended to summon law enforcement, including Local Alarm System. For purposes of this Chapter, "alarm system" shall be limited to alarms whose primary purposes is the detection or prevention of burglaries, robberies, or other acts generally requiring a police (as opposed to fire or medical) response.
- D. "Alarm system monitoring company," means any individual, partnership, corporation, or other form of association that engages in the business of monitoring property, burglary, or robbery alarm systems. For purposes of this Chapter, alarm system monitoring companies include those dealers

and installers who contract with a property owner, subscriber, or customer, to perform alarm system monitoring services and then subcontract with another alarm system monitoring company to provide the actual monitoring service.

- E.** "Alarm system user" means a person having (whether through ownership or lease) or maintaining an alarm system or alarm device where such system is connected to or in communication with an alarm system monitoring company.
- F.** "Alarm user's permit" means a document applied for by an alarm system user and issued by the System Administrator (as defined below) of their designee pursuant to the criteria established by this Chapter.
- G.** "Audio / Video verification" means the alarm incident has been verified by the alarm system monitoring company by means of audio and/or video, prior to the request to dispatch police.
- H.** "Automatic dialing device" means a device that is interconnected between an alarm system (as defined above) and a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response.
- I.** "Bureau of Emergency Communications" (BOEC) is the City/County Public Safety Answering Point entity that receives emergency and general information from the public, and then dispatches appropriate emergency services from respective police, fire, or medical agencies.
- J.** "Burglary alarm system" means an alarm system signaling an entry or attempted entry into the area protected by the system.
- K.** "Cancellation of alarm dispatch" means the process by which an alarm system monitoring company providing monitoring services verifies with the alarm user or responsible party that a false dispatch has occurred and that there is not an existing situation at the alarm site requiring law enforcement agency response.
- L.** "Chief" means the Chief of the City of Portland's Bureau of Police or their designated representative.
- M.** "Commercial properties" means any building or location used to operate a business that is not the alarm user's primary dwelling.
- N.** "Days," for purposes of calculating any time frames herein, shall mean calendar days (and not business days).

- O.** "Do It Yourself" (DIY) means the alarm system and components are purchased through a retail center or online provider by the alarm user and are typically installed by the alarm user.
- P.** "Duress alarm" means a silent alarm system signal generated by the manual activation of a device intended to signal a life-threatening situation or a crime in progress requiring law enforcement response.
- Q.** "Enhanced call verification" means a type of alarm verification in which an alarm monitoring company places two or more phone calls to different contact numbers in an attempt to verify that a real alarm has occurred and not a false alarm.
- R.** "False alarm" means a notification to the PPB from any source that any of the following scenarios have occurred:
1. If, once police arrive at the alarm site, the investigating police officer or first officer on-scene finds that there is no evidence of a crime or other activity that warrants the assistance of the Portland Police Bureau on the premises, as indicated by the investigation of a police officer on the scene or, if upon police arrival, by the property owner, or the property owner's tenant(s) or employee(s), refuse cooperation with police or deny the need for police assistance;
 2. The person who contacted BOEC and requested a police response, and/or who set off an alarm system to alert emergency services and/or who confirmed a video communication is no longer on or near the premises of the alleged emergency and/or at the time of police arrival now denies the need for police response; or
 3. BOEC has already dispatched police to a call from an alarm system monitoring company, and the alarm system monitoring company later informs BOEC or police that the alarm was cancelled. A false alarm occurs regardless of whether it is before or after the arrival of police at the alarm site, so long as the dispatch has already occurred. A false alarm does not result if the alarm system monitoring company cancels a dispatch request before BOEC dispatches officers to an alarm site.
- S.** "Monitoring" means the process by which an alarm system monitoring company receives signals from an alarm system or alarm device.
- T.** "Multiple Device Triggers" means at least two sensors, devices or combination of both have been activated, prior to the request to dispatch police.
- U.** "Police Response" occurs when BOEC treats an alarm signal as a valid alarm and dispatches police resources.

- V. "Primary trunk line" means a telephone line serving BOEC that is designated to receive emergency calls.
- W. "Residential properties" means a dwelling where individuals are living. Residential property includes both private and rented accommodations.
- X. "Robbery alarm system" means an alarm system signaling a robbery or attempted robbery. May be referred to as a "duress alarm" system generated by the manual activation of a device intended to signal a life threatening situation or a crime in progress requiring law enforcement response.
- Y. "Sheriff" means Sheriff of Multnomah County or their designated representative.
- Z. "Senior permit" means any alarm user who is over the age of 62 and provides documentation of proof of age whose primary address is the location of the alarm site.
- AA. "System Administrator or Administrator" means the individual designated by the Chief of Police to manage the Alarms Administration Unit. The unit is responsible for permit issuance, assessments of charges, education of alarm system users, and the conducting of appeals hearings.
- BB. "Sound emission cutoff feature" means a feature of an alarm system which will cause an audible alarm to stop emitting sound.
- CC. "Special permit" means any alarm site required by federal, state, county or municipal statute, regulation, rule or ordinance to install, maintain and operate an alarm system.
- DD. "System becomes operative" means when the alarm system is capable of eliciting a response by police.
- EE. "Unpreventable conditions" means those acts of nature which cause activation of an Alarm System without fault of the Alarm System, or Alarm User, criminal activity, or any other emergency. Such acts include, but are not limited to, earthquakes, floods, and high-speed winds, and acts of wild animals. Acts of domesticated animals, regardless of that animal's ownership, are not considered unpreventable conditions.

14B.10.030 Permitting Required; Application and Renewal; Violations and Remedies

- A. Every alarm system user shall obtain an alarm user's permit for each system installed in their home (owned or rented) or business from the Alarm Administration Office prior to the installation of a monitored alarm system. Each permit shall bear the signature of the Chief of Police and shall be valid

for a 1-year period immediately following issuance of the permit. The permit shall be kept upon the premises using the alarm system and shall be available for inspection by responding law enforcement entities.

- B.** An alarm system monitoring company that establishes a new client account with any residential and/or business consumer shall ensure that an alarm user's permit has been issued through the Alarm Administration Office prior to activating a new alarm account. Requirement of this proof is a one-time requirement; responsibility for renewal transfers to the alarm user after initial activation of the alarm system.
- C.** A yearly alarm permit fee, permit surcharge, late payment fee, and permit renewal fee shall be established by PPB and provided with the bureau's annual budget submission subject to the City's Financial Policy FIN. 2.06 cost recovery methodology.
- D.** If a residential alarm user is over the age of 62 and resides where the permitted alarm is located and if no business is conducted in the residence, a senior's permit may be obtained from the Alarms Administration Office according to Subsection 14B.10.030 A. without the payment of a fee.
- E.** Calls for emergency response to an alarm event by an alarm business must include the corresponding alarm permit number.
- F.** In addition to the fee provided in Subsection 14B.10.030 C., a surcharge penalty will be charged to any alarm service user that fails to obtain a permit within 30 days after the system becomes operative.
- G.** The alarm user will be in violation of Subsection 14B.10.030 A. if they fail to annually renew the alarm permit within 30 days after the permit expires. The alarm user may cure this violation and not face a code enforcement action if they renew their permit and pay all fees and fines within 45 days from the date of expiration.
- H.** Police will not respond to any alarm dispatches where the alarm system user's permit has expired and 45 days have passed since expiration with no attempt by the alarm system user to cure their defaults.
- I.** The remedy for a failure to cure after 45 days from permit expiration is the cancellation of the permit and notice by the System Administrator or designee to the alarm system monitoring company of the cancellation. Any reinstallations or reactivations after a cancellation under this Section will require a new permit application and the payment of fees for a new permit. If cancelled under this Subsection, the alarm system monitoring company will have to obtain proof of a new permit prior to reactivation.

14B.10.040 Duty of an Alarm Business to Educate an Alarm User

- A. In addition to an alarm business' duty to inspect permits prior to initial activation as outlined in Section 14B.10.030 B. above, every alarm business selling, leasing or furnishing to any user an alarm system that is installed on the premises located in the area subject to this Chapter shall furnish the user with instructions that provide information to enable the user to properly operate the alarm system at any time. Alarm businesses shall create and maintain a standard instruction form for this purpose and document the dissemination of this form to consumers.
- B. All alarm businesses shall, on an annual basis, submit their standard instruction form to the System Administrator no later than January 31 of each year. If the System Administrator reasonably finds such instructions to be incomplete, misleading, unclear or inadequate, the System Administrator may require the alarm business to revise the instruction to comply with this Chapter and to re-distribute the revised instruction to its alarm users. Penalties for noncompliance should re-instruction be required may include, but not be limited to, fines, costs, or restrictions on local business licenses.

14B.10.050 Duties of the Alarm User.

All alarm users shall:

- A. Obtain a permit from the Systems Administrator as outlined above and provide proof of same to the alarm system monitoring company before initial activation.
- B. Renew the permit annually for as long as the alarm systems remains at the alarm site.
- C. Maintain the premises of the alarm site and the alarm system in a manner that will minimize or eliminate false alarms.
- D. Personally come to the alarm site or cause a representative familiar with the system to respond to the alarm site's location within 30 minutes when notified by a representative of PPB to deactivate a malfunctioning alarm system, to provide access to the premises, and/or to provide alternative security for the premises, if necessary.
- E. If a business, train all persons who activate the alarm system with its proper codes and operation.
- F. If a homeowner or renter, train all adults residing in the home on proper codes and operation.
- G. Ensure that an alarm system is repaired within seventy-two (72) hours of notification that the system is malfunctioning. The permit holder may cause

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the alarm system to be deactivated rather than having such system repaired. A deactivated system may not be reactivated until the user verifies that it has been repaired.

- H. Not manually activate an alarm for any reason other than the occurrence of an event that the alarm system was intended to report.
- I. Notify the alarm system monitoring company of any extended period of time away from the alarm site, such as vacation, and will leave a responsible person's name and phone numbers with the alarm system monitoring company. This responsible person must be fully trained in the use of the alarm system and have keys and access codes.
- J. Adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site shall not sound for longer than 15 minutes after being activated.
- K. Have a licensed alarm repair company inspect the alarm system after four false alarms within a one calendar year period. If the inspection company finds fault with the system, the alarm user shall ensure, at their own cost, modification or repair of the system to be more false alarm resistant. If the inspection company finds no fault with the system and finds likely user error, the alarm user shall seek additional user training from the manufacturer or seller of the alarm and/or better train other members of the household or business not to set off the alarm.
- L. Not use automatic voice dialers.
- M. Maintain at each alarm site a set of written operating instructions for each alarm system, as well as a copy of the alarm permit.
- N. Provide the alarm system monitoring company with the assigned permit number for the alarm site.
- O. Retain the option to choose a (DIY) alarm. If their alarm is linked to an alarm monitoring service, then the following direction applies:
 - 1. The alarm user must obtain a permit from the Alarms Administration Unit prior to activation of the monitoring service.
 - 2. If their alarm is not linked to an alarm monitoring service, the alarm user does not need to obtain a permit from the System Administrator for an unmonitored system.
 - 3. Alarm users choosing to have DIY systems with a monitoring service shall be required to have professional installation prior to activation. Proof of professional installation must be provided to the Alarms Administration Unit prior to the issuance of the alarm permit.

14B.10.060 Duties of the Alarm System Monitoring Company.

An alarm system monitoring company performing monitoring services shall:

- A.** Provide training on the proper use and disarming of the purchased alarm system at no additional cost to an alarm user. This training must be offered and, if accepted by the alarm user, provided during the first seven days after installation of an alarm system. If there is a false alarm in the first seven days after installation and prior to the time the alarm system monitoring company provides training, any fees or fines assessed for the false alarm will be charged against and paid by the alarm system monitoring company and not the alarm user. For this reason, alarm system monitoring companies should seek to and may provide this training contemporaneously with installation. If the alarm user declines the offered training, or once the alarm user has already received the training, any fines and fees as a result of a false alarm will be assessed against the alarm user.
- B.** Attempt to verify every alarm signal, except a duress and hold-up alarm activation, before requesting a law enforcement response to an alarm system signal by contacting at least two responsible parties for the alarm system, unless there is only one responsible party listed in customer documents. The first call placed should be to the alarmed premise for a request for the false alarm password. If there is no answer, the alarm system monitoring company must try one or more additional phone numbers in an attempt to reach the alarm user(s) or a designated responsible party.
- C.** Ensure that all alarm users of alarm systems equipped with a duress or hold-up alarm are given adequate training as to the proper usage of these features.
- D.** Communicate to BOEC operators and/or dispatchers any available information about the specific type and location of the alarm signal, e.g., north door, back door, second floor window east side, etc. (as opposed to "Zone 1" or a nondescript term that will not communicate to the responding officer where the problem occurred)..
- E.** Communicate to BOEC operators and/or dispatchers the type of alarm activation (silent, audible, interior, perimeter etc.) during an alarm event.
- F.** Provide the alarm user permit number when requested by BOEC.
- G.** Notify the permit holder or their designee of the activation of the alarm system.

- H. Obtain proof of an active alarm permit from the alarm user prior to installation or activation of the alarm system (or reinstallation or reactivation if the prior permit was canceled by PPB for nonrenewal or nonpayment), document same, and notify the Alarm Administration Unit that proof was supplied prior to installation.

14B.10.070 Requirement for Posting Notice of an Alarm; Violation; Remedy for Failure to Post.

- A. For a business alarm user (and not a homeowner alarm user), it is unlawful for a person having control of premises where a burglar alarm and/or robbery alarm system exists to fail to have conspicuously posted, where it may be plainly seen by persons outside the premises, notice of the existence of an alarm. The notice must include the name, address, and telephone number of a person who possesses a key and has access to the premises.
- B. A violation of this Section may subject the violator to a fine or other civil penalties at the discretion of the System Administrator; however, the System Administrator shall assess no penalties until or unless notice of the violation is provided to the business owner and they fail to cure the violation within 30 days of notification.

14B.10.080 Burglary, Robbery, and Other Police Alarm System Fines and Penalties.

- A. Fines shall be assessed by the System Administrator for excessive false alarms during a permit year. The fine and fee schedule shall be set through the annual budget process and subject to review by the City Budget Office with all Portland Police Bureau fees and charges. This is in accordance with guidelines provided in FIN-2.06.
- B. The Alarm Administration Unit will send a written notification of any false alarm incident to notify the alarm user, alarm business, and/or alarm system monitoring company. The notice will set forth the fine and the consequences of the failure to pay the fine. The notice shall also acquaint the recipient with the relevant appeals process and their right to appeal the validity of the false alarm to the Administrator or designee in case of absence or leave of service, as provided in Section 14B.10.120.
- C. The first false alarm notice in a permit year will not be assessed a fine and instead will act as a warning. No further warnings without a fine may be assessed in a permit year.
- D. If the payment of the fine has not been received in the Alarm Administration Unit within 30 days of the date the written notice of fine was mailed by the Administrator, and there is no appeal pending on the validity of the false alarm, the Administrator will send an overdue notice to the alarm user, alarm

business, or alarm system monitoring company by certified mail, along with a notice of late fee.

- E. If payment of all fines and late fees is not received within 10 days of the day the notice of late fee was mailed, the System Administrator will initiate the no response process according to Section 14B.10.090 and may initiate the enforcement of penalties according to Section 14B.10.150.
- F. The payment of any fine shall not be deemed to extend the term of the permit.

14B.10.090 No Response to Excessive Alarms and/or Premises with Cancelled Permits.

- A. After a second false alarm, the System Administrator shall send a notification to the alarm user by certified mail, which will contain the following information:
 - 1. That a second false alarm has occurred.
 - 2. That if four or more false alarms occur within the permit year, the System Administrator will direct the Bureau of Emergency Communications to suspend response to further alarm signals.
 - 3. That the alarm user has the right to contest the validity of a false alarm determination by requesting a false alarm validity hearing, and that a request for such a hearing will stay the effect of a false alarm determination and must be in writing and filed within 10 days of the receipt of the notice of alarm.
- B. After a third false alarm in a permit year, the System Administrator need only send to the alarm user via regular mail a Notice of False Alarm and appeal rights. No other communication or action is required of the System Administrator.
- C. After a fourth false alarm within the permit year, the System Administrator shall:
 - 1. Direct BOEC to suspend response to subsequent alarms unless instructed to respond by the Chief's Office or their designee pursuant to Section 14B.10.090.
 - 2. Send a suspension notification to the alarm user by certified mail, indicating that PPB will no longer respond to alarms at the alarm site, but that PPB will resume alarm response services if the following conditions are met:

- a. Additional monitoring services are added to the permit location, consisting of either audio and/or video verification monitoring or multiple-device trigger systems;
 - b. any outstanding fees and fines associated with the alarm permit account are paid in full; and
 - c. the alarm user agrees in writing that a fifth or more false alarm in a permit year will result in a permanent cancellation of all premises use permits and the suspension of police response services for alarm calls for five years, plus triple the amount of fines and fees in the fines and fees schedule.
- D. In addition to the notice provided to the alarm user, the System Administrator shall also send a copy of the notice of suspension to BOEC and the alarm system monitoring company.

14B.10.100 Special Permits.

An alarm user required by federal, state, county or municipal statute, regulation, rule or ordinance to install, maintain and operate an alarm system shall be subject to this Chapter, provided:

- A. A permit shall be designated a special alarm user's permit. An alarm user seeking this type of special permit must submit proof of their eligibility for a special use permit (i.e., the federal, state, or local law requiring an alarm system) along with their permit application. Special alarm use permits shall be issued at the same cost as a regular alarm user permit (except for alarm users over age 62 as outlined in this Chapter).
- B. A special alarm user's permit for a system which has four false alarms in a permit year shall not be subject to the no response procedure specified but shall pay any fines according to the regular fine schedule according to this Chapter.
- C. The payment of any fine provided for in Subsection 14B.10.100.B. shall not be deemed to extend the term of the permit.

14B.10.110 Automatic Dialing Device; Certain Interconnections Prohibited.

- A. It is unlawful for any person to program an automatic dialing device to select a primary trunk line, and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to select a primary trunk line within 12 hours of receipt of written notice from the Administrator that it is so programmed.

- B. It is unlawful for any person to program an automatic dialing device to select any telephone line assigned to the City, and it is unlawful for an alarm user to fail to disconnect or reprogram such device within 12 hours of receipt of written notice from the Administrator that an automatic dialing is so programmed.
- C. A violation of this Section may subject the violator to a fine or other civil penalties at the discretion of the System Administrator; however, the System Administrator shall assess no penalties until or unless notice of the violation is provided to the alarm user and they fail to cure the violation within 30 days of notification.

14B.10.120 Appeals.

- A. An alarm user may challenge the validity of a false alarm determination by appealing the determination. The appeal request must be in writing (email or standard mail) and must be submitted to the System Administrator within ten days of the alarm user having received Notice of False Alarm. Failure to contest the determination in the required time period results in a conclusive presumption that the alarm was false and waiver of any claims or defenses regarding the false alarm or penalties therefore.
 - 1. All first time offenses shall be considered a warning and no economic penalty will be applied. Because there are no economic damages, no appeal of a first offense warning will be allowed.
 - 2. However, first offenses will count toward the cumulative number of offenses in any permit year. Should an alarm user wish to raise on appeal the impropriety of the first offense for purposes of having it not count toward the cumulative permit year total, the alarm user may challenge the validity of their first offense in addition to the validity of the offense that they are currently appealing. The effect of a finding that the first offense was improper shall only act to strike that offense from the permit year total; no economic or other relief is available.
- B. Appeal requests must include all documentation that a cited alarm user wishes the System Administrator to review. An alarm user appellant may include in this documentation a written statement setting forth their arguments as to facts and defenses. Any written statement shall not exceed 15 pages.
- C. The Appeal request and all documentation will be reviewed and decided by the System Administrator or designee. In no event will the person reviewing and deciding the appeal also be the person that issued the false alarm

determination. The appeal will be decided solely on the documentation presented without testimony, except as noted in Subsection D. below.

- D.** Alarm users over the age of 62 who have obtained a senior permit and alarm users with a verifiable disability may, as part of their Appeal Request, ask for a telephonic hearing in lieu of submitting written documentation. (Deaf persons or persons with a hearing impairment may also request additional accommodations such as an in-person hearing with the presence of a sign-language interpreter.)

1. If the request for a telephonic hearing is made and approved, the Alarms Administration Unit will contact the requester by telephone or email to schedule a hearing. While the Alarm Administration Unit will schedule the hearing, the alarm user is obligated to attend or call in to the hearing. An alarm user's failure to do so waives their right to present any additional information for consideration of the appeal and will be justification for dismissal of the appeal.

2. In any case where a telephonic hearing (or in-person hearing as a reasonable accommodation) has been held, the appeal will be decided on the basis of the testimony provided and any other relevant documentation submitted, but alarm users will not also be allowed to present a written statement for consideration.

3. Any hearing held shall be informal and not subject to Oregon Rules of Civil Procedure or Oregon Rules of Evidence. The appellant is limited to giving a statement and/or submitting additional documentary evidence and will not engage in eliciting direct testimony or conducting cross-examination.

4. The hearing will be audio tape recorded, but not transcribed. The alarm user may request a copy of the audiotape to be transcribed at their own cost.

- E.** The System Administrator or designee deciding the appeal will render a decision within 30 days after receipt of the appeal request or after any hearing, as applicable. The System Administrator shall document the decision in writing, setting forth the reasons for the decision, and take any further steps necessary to effectuate their decision. The System Administrator shall, contemporaneously with rendering the written decision, send a copy of the written decision to the alarm user either via regular mail or email (as indicated in their permit application).

- F.** If the appeal is granted and it is determined that the false alarm at issue did not occur, then the findings will be waived and expunged from an alarm user's record as appropriate, and will not be counted toward the yearly

permit amount for any other purposes of this Chapter. If the appeal is denied and the false alarm designation remains on the alarm user's record, the Administrator may pursue fine collection and/or permit cancellation as set out in this Chapter.

14B.10.130 Sound Emission Cutoff Feature.

- A. Alarm systems which can be heard outside a building, structure or facility of the alarm user shall be equipped with a sound emission cutoff feature which will stop the emission of sound 15 minutes or less after the alarm is activated.
- B. When an alarm system may be heard outside a building, structure or facility for more than 15 minutes continuously or intermittently, and the alarm owner or alarm system monitoring company is not readily available or able to silence the device, PPB is authorized to enter the premises and physically disconnect the sounding device. The alarm owner shall be liable for the cost of, or associated with, disconnecting and reconnecting the alarm. Neither the City nor its officers, agents or employees shall be liable for such costs.

14B.10.140 Confidentiality and Statistics.

- A. All information submitted in compliance with this Chapter shall be deemed a public record. Applicable privacy and confidentiality exemptions pursuant to ORS 192.502 shall be applied to any requests to records regarding this Chapter. The Administrator shall be charged with the sole responsibility for the maintenance, disclosure, retention, and destruction after expiration of the retention schedule of all records of any kind whatsoever under this Chapter.
- B. Subject to the requirements of confidentiality, the Administrator may develop and maintain statistics having the purpose of assessing alarm system, alarm business, and alarm system monitoring company performance and compliance.

14B.10.150 Code Enforcement Actions; Penalties.

- A. Enforcement of this ordinance may be by civil action as provided in ORS 30.315, or by criminal prosecution.
- B. Violation of this ordinance shall be punishable upon conviction by a fine of not more than \$500.
- C. The failure or omission to comply with any Section of this ordinance shall be deemed a violation and may be so prosecuted, subject to the penalty provided in paragraph B. of this Section.

14B.10.160 Liability.

Law enforcement response to an alarm may be based on factors such as: availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and other factors. For these reasons, the permitting of an alarm system and regulation thereof by PPB is not intended to, nor will it, create a contract, duty or obligation, or special relationship, either expressed or implied, between the City and an alarm user, assuring police response to the alarm. Any and all liability and consequential damages that may result from PPB's failure to respond to an alarm notification is subject to governmental immunity as provided by law and is retained.