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IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON. M. PENFOLD, Director of the Dept. of Records and Elections of Lane County

BY Patricia Dunbar DEPUTY

ORDINANCE NO. 18-73

AMENDING CHAPTER 3 OF LANE CODE

The Board of County Commissioners of Lane County ordains as follows:

Chapter 3 of Lane Code is hereby amended by adding the following pages:

- 3.400 - 3.400
- 3.400 - 3.415(1)
- 3.415(2) - 3.420(2)
- 3.420(3) - 3.435(5)
- 3.435(6) - 3.450(2)
- 3.450(3) - 3.450
- 3.990 - 3.990

Such added pages are attached hereto and incorporated herein by reference. The purpose of these amendments is to establish emergency reporting equipment procedures and enforcement thereof.

Enacted this 6th day of March, 1974.

W. E. Amick
Chairman, Lane County Board of Commissioners

APPROVED AS TO FORM
DATE 3/5/74
John D. Thompson
OFFICE OF COUNTY COUNSEL

Patricia Dunbar
Recording Secretary for this Meeting of the Board

Amending Chapter 3 of Lane Code

Emergency Reporting Equipment Procedures Ordinance

3.400 Definitions. For the purpose of this subchapter, the following terms shall mean:

Alarm Equipment Supplier. Any person, firm or corporation that sells, leases, installs or maintains automatic protection devices.

Alarm Monitoring Service. A business that operates an alarm monitoring service whereby trained employees, in attendance at all times, receives messages from automatic protection devices reporting emergencies at stated locations, and who have the duty to relay immediately by live voice any such emergency message, over a direct line, to the communications center of the fire department or police department.

Automatic Protection Device. An electronically or mechanically operated instrument that automatically signals or sends by any means (including direct or indirect connection to regular telephone lines) pictures, sound, odor or a prerecorded message, either by voice or other alarm, from a protected premises upon receipt of a stimulus from a sensory detection apparatus. Automatic protection devices shall include any audible alarm or light signaling device attached to the interior or exterior of a protected premises.

Board. The Board of County Commissioners of Lane County.
County. The unincorporated area of Lane County.

Direct Line. A special telephone line, unavailable for use by the public at large, leading directly to the communications center of a fire department or police department from a single, specific location, and designed to be used only to report emergency messages and signals on a person-to-person basis.

Fire Department. Any governmental unit which has the responsibility of providing fire protection to any area within the County.

Key. (To a telephone line). To utilize a telephone line for transmitting a message, either by direct connection or by a mechanism not so connected, that, in order to transmit, utilizes the microphone of a standard telephone.

Police Department. Any governmental unit which has the responsibility of providing public safety to any area within the County.

3.400

Lane Code

3.415(1)

Regular Telephone Line. A general telephone line leading to the communications center of the fire department or police department, available for use by the public at large and identified by listing in the telephone directory issued by the telephone company serving the County.

Sensory Detection Apparatus. A mechanical or electrical device, part of an automatic protection device, which is designed for detection of any physical force or condition inherently characteristic of fire (other than water flow or manual fire alarms) or the unauthorized intrusion into or upon a protected premise.

Sheriff. The Director of the Department of Public Safety of Lane County.

3.405 Authority. This subchapter is consistent with ORS Chapter 670 (Supplementing ORS Chapter 481) but is adopted under authority of the Lane County Charter for the purpose of establishing procedures, practices and standards within the County for operation of emergency reporting equipment.

3.410 License Required - Alarm Equipment Supplier. Any alarm equipment supplier selling or leasing automatic protection devices for installation in or upon any premises in the County, or installing or maintaining such devices, whether or not such devices are keyed to a licensed alarm monitoring service, shall obtain a license from the Sheriff before engaging in such sale, lease, installation or maintenance.

3.415 Alarm Equipment Supplier - Operational Standards. The Sheriff, before issuance of a license to any alarm equipment supplier, shall insure that the following minimum operational standards are met or agreed upon:

(1) Any alarm equipment supplier selling or leasing automatic protection devices for installation in or upon any premises in the County, or installing or maintaining such devices, whether or not such devices are keyed to a licensed alarm monitoring service, shall furnish to the person to whom such device is sold or leased or from whom the device is installed or maintained, complete instructions detailing the operation of the device, a maintenance manual for the device and a detailed circuit diagram of such device. These instructions shall include information as to how the device may be aborted.

3.419(2)

Lane Code

3.420(2)

(2) All licensed alarm equipment suppliers shall agree to provide the County, within thirty (30) days after installation, or, with respect to all automatic protection devices previously installed on the effective date hereof, within thirty (30) days of such effective date, a listing of all automatic protection device installations known to them including:

- (a) Name, residence address and telephone number of the owner or lessee;
- (b) Address of the premises where the device is installed and the telephone number of its location;
- (c) Name and telephone number of any other person at a different location who is authorized to respond to an emergency and open the premises where the device is installed; and,
- (d) The type of alarm - characterized as police or fire, how activated (heat, smoke, intrusion, sound, etc.) and location (exterior, perimeter and/or interior).

Those licensed alarm equipment suppliers and alarm monitoring services that provide continuous monitoring on a twenty-four (24) hours a day basis shall be exempt from the requirements of subparagraphs (c) and (d) of this section providing that they will be able to provide this information immediately upon demand of an authorized representative of the County Department involved.

(3) At the time of installation, all licensed alarm equipment suppliers shall furnish, to the person for whom the automatic protection device has been installed, written information as to how maintenance service can be obtained on a twenty-four (24) hour basis, including twenty-four (24) hour telephone numbers, to call for service.

3.420 Applications. An alarm equipment supplier hereafter engaged or any engaged on the effective date hereof in selling, leasing, installing or maintaining automatic protection devices in the County, whether or not designed for keying to a licensed alarm monitoring service, shall apply to the Sheriff for a license on a form to be furnished by the County. Such application shall be filed within twenty (20) days from the effective date hereof. Each application shall be signed by the individual proprietor of such business or by a partner or authorized corporate official and shall include the following information:

- (1) Name, address and telephone number of the alarm equipment supplier and its type of business organization (individual, partnership or corporation). If a corporation, the names and addresses of the principal officers and the state where incorporated.
- (2) A statement of the type and availability of twenty-four (24) hour maintenance service for automatic protection devices that the applicant proposes to offer the public.

3.420(3)

Lane Code

3.435(5)

(3) An agreement of the part of the applicant to comply with the operational standards listed in section 3.415 of this subchapter, and with other reasonable rules and regulations that may be issued under authority of this subchapter by the Sheriff.

3.425 Fee. All applications required under 3.420 shall be accompanied by a fee established by separate order of the Board.

3.430 Registration of Alarm Monitoring Services. A service which desires to include in such service the receipt and relay of messages from automatic protection devices in the County shall provide the Sheriff with the following:

(1) Name and address of the alarm monitoring service and its type of business organization (individual, partnership or corporation). If a partnership, the names and addresses of the partners; if a corporation, the names and addresses of the principal officers and the state where incorporated.

(2) A statement that the applicant(s) is willing to comply with the operational standards contained in section 3.435 of this subchapter.

3.435 Alarm Monitoring Service - Operational Standards. In addition to the other requirements imposed by this Code, the Sheriff shall insure that the following minimum operational standards are or will be met:

(1) An alarm monitoring service must provide, at its expense, a direct line to the fire department or police department communication center to facilitate the live voice relay of signals or messages from automatic protection devices.

(2) The inner room or rooms where the actual alarm monitoring services are performed must be locked to outside access at all times, so that only authorized employees will have access thereto

(3) As soon as practicable after notification of the County Department concerned, or as otherwise agreed upon between the alarm monitoring service and the involved customer, the alarm monitoring service operator on duty shall report to such customer, or to such person designated by the customer, the circumstances regarding the receipt and relay of the signal from the automatic protection device.

(4) Instructions for handling emergency messages shall be posted for ready and quick reference by alarm monitoring service operators by the alarm monitoring service from whose premises live voice alarms originate.

(5) A sufficient number of alarm monitoring service operators must be on duty at all times to insure that messages from automatic protection devices are relayed immediately to the County Department concerned.

3.435(6)

Lane Code

3.450(2)

(6) As an expressed condition for providing the service incident to automatic protection devices, the alarm monitoring service shall require each customer to provide satisfactory proof that the customer has contracted for, or has established for itself, a licensed or otherwise qualified automatic protection device maintenance or service program and is receiving maintenance or service on a regular basis.

(7) The alarm monitoring service shall agree to submit to the County any information regarding its employees and the customers it serves as may be reasonably required.

3.440 Applications. Any person in the County who operates an alarm monitoring service, representing a customer in telephone communications, keeping a record of communications so received and transmitting them to the party called, may, upon providing the Sheriff with this information, include in such service the receipt and relay of live voice messages or other signal, via direct line, from automatic protection devices to a fire department or police department.

3.445 Use of Automatic Protection Devices.

(1) Keying of automatic protection devices in a manner so as to send a prerecorded message directly over regular telephone lines to a fire department or police department of the County is hereby prohibited.

(2) Within thirty (30) days of the effective date hereof, all automatic protection devices presently keyed to send prerecorded emergency messages directly over regular telephone lines to a fire department or police department of the County shall be altered so as to key the automatic protection device to a telephone number other than those of the fire department or police department.

(3) After the effective date hereof, no one except a licensed alarm equipment supplier or alarm monitoring service shall sell, lease, install or maintain any automatic protection device in the County or key such device to an alarm monitoring service.

3.450 Duties of Owner or Lessee.

(1) It shall be the duty of the owner or lessee of any automatic protection device to arrange for the accomplishment of equipment alteration prescribed in section 3.445(2) of this subchapter.

(2) The owner or lessee of an automatic protection device who has it altered as required by section 3.445(2) of this subchapter may authorize a licensed alarm equipment supplier to key the automatic protection device to a licensed alarm monitoring service.

3.450(j)

Lane Code

3.460

(3) The owner or lessee of an automatic protection device shall be responsible for having the device repaired or aborted as quickly as reasonably possible after he learns, either from his own sources, an alarm monitoring service, an alarm equipment supplier or any member of a fire department or police department of the County, that the device is not working properly.

3.455 Duties of Supplier or Lessor.

(1) It shall be the duty of the supplier or lessor of any automatic protection device to provide equipment of such quality that emergency messages may be transmitted which clearly indicates the nature of the emergency and the location of the emergency with a minimum of false alarms.

(2) The supplier or lessor may, under appropriate contract, assume some of the responsibilities outlined in section 3.450 of this subchapter and in doing so will abide by all licensing regulations and be responsible for violations.

3.460 License Revocation and Enforcement.

(1) In addition to the penalties prescribed by section 3.990 of this subchapter, the Board may, after notice and hearing, cancel the license of an alarm equipment supplier on any of the following grounds:

(a) Fraud, misrepresentation or false statement contained in any application for such license.

(b) Fraud, misrepresentation or false statement in the conduct of business authorized by such license.

(c) Violation of any provision of this subchapter as it applies to a licensed alarm equipment supplier or alarm monitoring service.

(2) A license issued to an alarm equipment supplier shall not be canceled until a hearing shall have been held by the Board. Written notice of the time and place of such hearing shall be served upon the holder of such license at least ten (10) days before the date set for the hearing. The notice shall also contain a brief statement of the grounds alleged as the basis for cancellation of the license.

(3) At the hearing, the holder of the license proposed to be canceled shall be confronted by the complaining witness(es) and shall be given an opportunity to answer and thereafter be heard. After due deliberation, the Board may either dismiss the complaint against the holder of the license or revoke the license.

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Lane Code

3.990

Enforcement

3.990 Violation. Violation of any of the requirements of sections 3.410 through 3.455 of this chapter constitutes a county infraction. Continued violations of this chapter after ten (10) days from the mailing of notice of the violation by certified mail to the last known address of the alleged violator, and continued violations after an order has been entered by the County Infractions Section for the same violation, constitute a separate County Infraction for each day the violation continues. The Sheriff or his duly authorized representative shall have the authority to sign County Infractions Complaints for violations of sections 3.410 through 3.455.