

**CHAPTER 57**  
**ALARM SYSTEMS**

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**57.001. Definitions.** As used in this chapter, unless the context otherwise require

- (a) Alarm system provider means a person or business which sells, leases, maintains, installs, monitors, repairs, moves, or replaces a security alarm system in any building, structure, or facility.
- (b) Annunciator means that part of a security alarm system, other than an automatic dialer, which communicates the fact that the system has been triggered.
- (c) Audible annunciator means an annunciator which gives an alarm by means of a bell, siren, buzzer, or similar sound-producing device and mounted at some location other than wholly within a building, or if located wholly within a building, intended to be clearly audible when activated at a distance of 50 feet or more outside of the building within which it is mounted.
- (d) Automatic dialer means a device which is programmed to select a telephone number and deliver a verbal warning message or signal over standard telephone lines.
- (e) Center means the "911" emergency communications center serving the City of Salem.
- (f) Duress alarm means a manually activated security alarm system.
- (g) False alarm means any activation of a security alarm system not resulting from criminal activity or unlawful entry upon protected premises, which results in a communication to the Center that an alarm has been triggered.
- (h) Owner means the owner of record as shown in the real property records of the county in which the protected premises is located.
- (i) Private security officer means "private security officer" as defined in ORS chapter 181.
- (j) Protected premises means all buildings, structures, facilities, real property, or portions thereof protected by a security alarm system.
- (k) Remote annunciator means an annunciator located at a terminal on the premises of the Salem Police Department, an alarm system provider or other location not a part of the protected premises.
- (l) Security alarm system means a device or system of interconnected devices, including hardware and related appurtenances, designed to give warning of activities indicative of criminal conduct or unauthorized entry upon protected premises. A system which does not incorporate an audible annunciator, a remote annunciator, or an automatic dialer, and systems owned, maintained and monitored by any government law enforcement agency in furtherance of law enforcement duties, are not considered security alarm systems for the purposes of this chapter.
- (m) Sensor means that part of a security alarm system which is designed to detect the happening of some event, or existence of some condition, indicative of criminal activity or unauthorized entry upon protected premises.
- (n) Silent alarm system means a security alarm system having an automatic dialer, a remote annunciator, or both, but no audible annunciator.

(o) Subscriber means any person contracting with an alarm system provider to monitor protected premises and the occupant of the protected premises. For protected premises having more than one occupant protected by a single security alarm system, the term “subscriber” means the owner. (Ord No. 34-2004; Ord No. 27-12)

**57.005. No Public Duty Created.** It is the express purpose of this chapter to provide for and promote the health, safety, and welfare of the citizens of the City of Salem, but not to create or otherwise establish a duty or obligation, expressed or implied, of response by the city or its police department. Response may be influenced by many factors including, but not limited to, the availability of police units, priority of calls for service, weather conditions, traffic conditions, emergency conditions, staffing levels, and prior response history. (Ord No. 34-2004; Ord No. 27-12)

**57.010. Alarm Systems; Prohibited Installation, Maintenance, and Use.**

- (a) No duress alarm may be installed which has a single action, non-recessed activation button.
- (b) No security alarm system incorporating an audible annunciator may be installed or maintained unless the system is designed so that each audible annunciator will automatically be silenced within fifteen minutes after being activated, and will not sound again unless a new act or circumstance triggers a sensor.
- (c) No automatic dialer may be programmed to select any telephone line of a user that has not previously given consent to such programming.
- (d) No person shall install, use, or maintain a security alarm system in violation of any of the requirements of this Code, or of any applicable statute, law, or administrative regulation of the United States of America, the State of Oregon, or any administrative rule-making body thereof.
- (e) A violation of this section is an infraction. (Ord No. 34-2004; Ord No. 27-12)

**57.015. Unlawful Activation of Alarm System.**

- (a) It is unlawful for any person to intentionally activate a security alarm system for the purpose of summoning the police when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises.
- (b) A violation of this section is a misdemeanor. (Ord No. 34-2004; Ord No. 27-12)

**57.020. Unlawful Provision of False Information to Police Officer.**

- (a) It is unlawful for any subscriber or private security officer to provide any false information to the Center or a police officer with the intent to mislead and cause a police response.
- (b) A violation of this section is a misdemeanor. (Ord No. 34-2004; Ord No. 27-12)

**57.025. Unlawful Provision of False Information to Police Dispatcher.**

- (a) No alarm system provider or alarm system provider’s officer, agent or employee shall provide false information to a police dispatcher which causes a police response.
- (b) A violation of this section is an infraction. (Ord No. 34-2004; Ord No. 27-12)

**57.030. Unlawful Activation of False Duress Alarm.**

- (a) No owner of protected premises or other person having authorized access to protected premises shall activate a duress alarm that is a false alarm.
- (b) A violation of this section is an infraction. (Ord No. 34-2004; Ord No. 27-12)

**57.050. Civil Penalties.**

(a) In lieu of or in addition to any penalty provided by law, a civil penalty may be imposed against an alarm system provider whenever the provider, or the provider's officer, agent or employee, violates SRC 57.010, SRC 57.015, SRC 57.020, SRC 57.025, or SRC 57.030. The civil penalty for the first violation in a calendar year is \$300.00. The civil penalty for the second violation in a calendar year is \$500.00. The civil penalty for the third violation and each subsequent violation thereafter in a calendar year is \$1,000.00.

(b) The assessment of civil penalties, and appeals therefrom, shall follow the procedures set forth in SRC Chapter SRC 20J.

(c) Notwithstanding SRC 20J.340(e)(2), in any appeal of the assessment of a civil penalty, there shall be a rebuttable presumption that an alarm was false if the enforcement officer makes a prima facie showing that law enforcement officials responded to the alarm and checked the premises according to standard operating procedure, and were unable to discover any evidence of unauthorized entry or criminal activity. If the enforcement officer makes a prima facie showing, then the burden of persuasion shall shift to the appellant to demonstrate no false alarm occurred. (Ord No. 34-2004; Ord No. 27-12)

