

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**CITY OF SANTA FE, NEW MEXICO**

**ORDINANCE NO. 2012-13**

**AN ORDINANCE**

**AMENDING SECTION 18-1.4 SFCC 1987 REGARDING LICENSE APPLICATION  
SUBMITTAL REQUIREMENTS FOR ALARM INSTALLATION COMPANIES AND  
ALARM MONITORING COMPANIES; AMENDING VARIOUS SECTIONS OF  
ARTICLE 20-5 SFCC 1987 REGARDING ALARM SYSTEMS AND FALSE ALARM  
REDUCTION; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

**Section 1. Section 18-1.4 SFCC 1987 (being Ord. #1981-64, §4, as amended) is  
amended to read:**

**18-1.4 License Application; Information Required.**

**A. Applicants for licenses under this section shall file with the city a sworn  
application in writing, on a form to be furnished by the city, which shall include, but is not  
limited to the following:**

- (1) Name;**
- (2) Address;**
- (3) Current state revenue division taxpayer identification number or  
evidence of application for a current state revenue division taxpayer identification  
number;**
- (4) A brief description of the nature of the business;**
- (5) Proof of insurance coverage, when applicable; and**

1                   (6) Proof of bond, when applicable.

2           B. In addition to the information required in paragraph A, the following businesses  
3 shall also include the following information with their applications:

4                   (1) Carnival operators shall submit a copy of their special use permit, as  
5 required by subsection 18-7.2 SFCC 1987;

6                   (2) Circus operators shall submit a copy of their special use permit, as  
7 required by subsection 18-7.2 SFCC 1987;

8                   (3) Itinerant vendors seeking to conduct sales as defined under subsection  
9 18-5.1 SFCC 1987 shall submit a copy of their petition as approved by the governing  
10 body, as required in subsection 18-5.1 SFCC 1987;

11                   (4) Jewelry auction operators, as defined in subsections 18-5.1 through 18-  
12 5.23 SFCC 1987, shall provide information required by subsections 18-5.12 and 18-5.14  
13 SFCC 1987, including a notarization of the application;

14                   (5) Mobile home park operators shall submit a copy of their certificate of  
15 occupancy;

16                   (6) Private day-care nurseries, facilities and kindergarten operators, when  
17 approval is required by the board of adjustment, as per the provisions of Table 14-6.1-1  
18 SFCC 1987, shall include a sworn affidavit stating that they have received such approval;  
19 and

20                   (7) Septic tank cleaners shall submit a sworn affidavit stating that they have  
21 conformed to the requirements set forth in subsection 22-4.9 SFCC 1987.

22                   (8) Flea market operators shall submit:

23                           (a) A copy of a current certificate of occupancy. The certificate of  
24 occupancy shall be reissued annually; and

25                           (b) A sworn affidavit stating that they have conformed to the

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

requirements set forth in subsection 14-6.2(C) SFCC 1987.

(9) Alarm installation companies and monitoring companies, as defined in Section 20-5.4 SFCC 1987, shall submit the following documents as required by Section 20-5.8 SFCC 1987:

(a) A copy of a valid license issued by the construction industries division of the regulation and licensing department of the state of New Mexico; and

(b) Proof of bonding.

**Editor's Note:** Santa Fe City Code References in Paragraph B(6) and B(8)(b) are corrected to conform with Ordinance 2011-37.

**Section 2. Section 20-5.5 SFCC 1987 (being Ord. #2009-33, §7) is amended to read:**

**20-5.5 Registration Required; Application; Fee; Transferability; False Statements.**

A. No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm registration. A separate alarm registration is required for each alarm site. The fine for a non-registered alarm site as set forth in Section 20-5.14 SFCC 1987 shall be assessed for each alarm occurrence.

B. The non-refundable fee for an alarm registration or an alarm registration renewal is set forth in Section 20-5.14 SFCC 1987 and shall be paid by the alarm user. The initial alarm registration fee shall be submitted to the alarm administrator within thirty (30) days after the alarm system installation or alarm system takeover.

C. The alarm registration application shall include the following information:

(1) The name, complete address (including apartment/suite number), mailing address, if different from the address of the alarm site; and telephone numbers of the person who will be the registration holder and be responsible for the proper maintenance

1 and operation of the alarm system and the payment of fees assessed under this article.

2 (2) The classification of the alarm site as either residential or commercial.

3 (3) The classification of the alarm system (burglary, holdup, duress, panic or  
4 other) and for each classification whether such alarm is audible or silent.

5 (4) Detailed information regarding any dangerous or special conditions  
6 present at the alarm site.

7 (5) The names and telephone numbers of at least two individuals who are  
8 able and have agreed to:

9 (a) Receive notification of an alarm system activation at any time;

10 (b) Respond to the alarm site within thirty (30) minutes at any time;

11 and

12 (c) Upon request is able to grant access to the alarm site and  
13 deactivate the alarm system if necessary.

14 One of the two individuals may be the alarm response manager.

15 (6) If alarm site is commercial, the type of business conducted.

16 (7) The date of installation, conversion or takeover of the alarm system.

17 (8) The name, address, telephone number and city of Santa Fe business  
18 license number of the alarm installation company or companies performing the alarm  
19 system installation, conversion or takeover; and the name, address, telephone number and  
20 city of Santa Fe business license number of the alarm installation company responsible  
21 for providing service to the alarm system.

22 (9) The name, address, telephone number and city of Santa Fe business license  
23 number of the monitoring company if different from the alarm installation company;

24 (10) An acknowledgement from the alarm user that the alarm user has  
25 received from the alarm installation company:

1 (a) The current city of Santa Fe Alarm System Ordinance or the  
2 web-site address where the Ordinance is accessible;

3 (b) Training in the proper use of the alarm system and written  
4 guidelines on how to avoid false alarms; and

5 (c) A signed statement from the alarm installation company that  
6 verifies the training.

7 (11) Acknowledgement that law enforcement response may be influenced by  
8 factors including, but not limited to, the availability of police units, priority of calls,  
9 weather conditions, traffic conditions, emergency conditions and staffing levels.

10 D. Upon receipt of a completed alarm registration application form and the alarm  
11 registration fee, the alarm administrator shall register the alarm user, unless the applicant has:

- 12 (1) Failed to pay a fine assessed under Section 20-5.14 SFCC 1987; or  
13 (2) Had an alarm registration for the alarm site suspended or revoked, and  
14 the violation causing the suspension or revocation has not been corrected.

15 E. Any false statement of a material fact made by an alarm user for the purpose of  
16 obtaining an alarm registration shall be sufficient cause for refusal to issue a registration.

17 F. An alarm registration cannot be transferred to another person or alarm site. An  
18 alarm user shall inform the alarm administrator of any change that alters any of the information  
19 listed on the alarm registration application within thirty (30) days of such change.

20 G. All fines and fees owed by an alarm user shall be paid before an alarm  
21 registration may be issued or renewed.

22 H. Governmental entities, including federal, state, county, public schools and other  
23 political subdivisions of the state of New Mexico shall obtain an alarm registration, for tracking  
24 purposes only. Registration fees, services fees and fines shall not be required of such entities.

25 **Section 3. Section 20-5.6 SFCC 1987 (being Ord. #2009-33. §8) is amended to**

1 read:

2 **20-5.6 Alarm Registration; Duration and Renewal.**

3 An alarm registration shall expire one (1) year from the date of issuance, and shall be  
4 renewed annually by submitting an updated application and a registration renewal fee to the alarm  
5 administrator. The alarm administrator shall notify each alarm user of the need to renew their  
6 registration within sixty (60) days prior to the expiration of the registration. It is the responsibility  
7 of the alarm user to submit an application for renewal prior to the registration expiration date.  
8 Failure to renew will be classified as use of a non-registered alarm system. For each alarm  
9 occurrence, the fine for a non-registered alarm site, as set forth in Section 20-5.14 SFCC 1987,  
10 shall be assessed without waiver. A late fee may be assessed if the renewal is more than thirty  
11 (30) days late.

12 **Section 4. Section 20-5.7 SFCC 1987 (being Ord. #2009-33, §9) is amended to**  
13 **read:**

14 **20-5.7 Duties of the Alarm User.**

15 A. An alarm user shall:

16 (1) Obtain an alarm registration for the alarm system as required in Section  
17 20-5.5 SFCC 1987.

18 (2) Maintain the alarm site and the alarm system in a manner that will  
19 minimize or eliminate false alarms.

20 (3) Make every reasonable effort to have a responder to the alarm site within  
21 thirty (30) minutes when requested by the city in order to deactivate an alarm system,  
22 provide access to the alarm site; and if necessary, provide alternative security for the  
23 alarm site.

24 (4) Not activate an alarm system for any reason other than an occurrence of  
25 an event that the alarm system was intended to report.

1           B.       An alarm user shall adjust the mechanism or cause the mechanism to be adjusted  
2 so that an alarm signal audible on the exterior of an alarm site will sound for no longer than five  
3 (5) minutes after being activated.

4           C.       After an alarm site has three (3) false alarms within a one (1) year period, the  
5 alarm administrator shall notify the alarm user and the alarm installation company named on the  
6 alarm registration application that the alarm user is required to attend the on-line alarm school.  
7 The alarm administrator may waive a required inspection if it determines that a false alarm(s)  
8 could not have been related to a defect or malfunction in the alarm system.

9           D.       After an alarm site has five (5) false alarms within a one (1) year period, the  
10 alarm administrator shall notify the alarm user and the alarm installation company named on the  
11 alarm registration application that mandatory inspection of the alarm system shall be made and  
12 additional user training shall be provided by the alarm installation company. Proof of the  
13 inspection and additional training shall be provided to the alarm administrator.

14           E.       An alarm user shall not use an automatic voice dialer.

15           F.       An alarm user shall maintain at each alarm site, a set of written operating  
16 instructions for each alarm system.

17           G.       An alarm user who has contracted with an alarm monitoring company shall be  
18 aware of the "acclimation period" described in Section 20-5.10 SFCC 1987.

19           **Section 5.       Section 20-5.9 SFCC 1987 (being Ord. #2009-33, §11) is amended to**  
20 **read:**

21           **20-5.9 Duties of Alarm Installation Company.**

22           A.       Upon the effective date of this Ordinance, alarm installation companies shall  
23 establish an outreach program for their customers. Such outreach shall include written  
24 notification that the Alarm System Ordinance has been adopted; and a summary of the Ordinance,  
25 including the responsibilities and duties of alarm users.

1           B.     The alarm installation company shall provide written and oral instructions to  
2 each of its alarm users in the proper use and operation of each alarm system(s). Such instructions  
3 shall specifically include all instructions necessary to turn the alarm system on and off and how to  
4 avoid false alarms.

5           C.     Alarm installation companies shall use only ANSI/SIA CP-01 listed alarm  
6 control panels on all new installations and panel replacements or upgrades.

7           D.     An alarm installation company shall not:

8                 (1)     Install or activate automatic voice dialers;

9                 (2)     Program an alarm system so that the alarm system is capable of sending  
10 one plus duress alarms. The alarm installation company shall remove the one plus duress  
11 alarm feature from alarm systems whenever an alarm technician is at the alarm site or  
12 otherwise accessing the panel for reprogramming purposes; or

13                 (3)     Program an alarm system to activate a holdup alarm, which is a single  
14 action, non-recessed button.

15           E.     After completion of the installation of an alarm system, an alarm installation  
16 company employee shall review with the alarm user the false alarm prevention checklist which  
17 shall be provided by the alarm installation company. The alarm installation company shall  
18 provide a copy of the checklist to the alarm administrator for review and approval and if the  
19 checklist is amended ensure that the alarm administrator has the current version for review and  
20 approval.

21           F.     An alarm installation company that purchases alarm system accounts from  
22 another alarm installation company shall notify the alarm users that the alarm users need to notify  
23 the alarm administrator that the alarm registration needs to be updated with the name of the new  
24 alarm installation company.

25           G.     Each alarm installation company shall designate one individual as the alarm



1 response manager (ARM) for the company who will manage alarm related issues and act as the  
2 point of contact for the alarm administrator. The ARM shall be knowledgeable of the general  
3 provisions of the Ordinance, as well as have the knowledge and authority to deal with false alarm  
4 issues and respond to requests from the alarm administrator. The name, phone number, and email  
5 address of the designated ARM shall be provided to the alarm administrator.

6 H. Alarm installation companies shall comply with the following requirements:

7 (1) Upon the effective date of this Ordinance, alarm installation companies  
8 shall provide the alarm administrator with an existing customer list in a format acceptable  
9 to the alarm administrator to assist the alarm administrator with creating tracking data.

10 (2) Alarm installation companies shall provide a monthly report to the alarm  
11 administrator by the twenty-fifth day of the month listing all new alarm systems, which  
12 the alarm installation company contracted to install during the previous month. The  
13 monthly report shall also include a listing of any cancelled or inactive alarm user  
14 accounts. Each report shall include at the minimum the name, address and phone number  
15 of the alarm user and the address of the alarm site. Nothing in this Ordinance shall  
16 prohibit the use of such information for legitimate public safety purposes. A fine in  
17 accordance with Section 20-5.14 SFCC 1987 for each monthly report that is overdue  
18 shall be assessed to any alarm installation company that fails to provide this report by this  
19 deadline.

20 (3) Alarm installation companies shall assist the alarm administrator by  
21 providing the initial alarm registration application to the alarm user and submit such  
22 registrations to the alarm administrator within thirty (30) days of the activation of an  
23 alarm system.

24 I. If an alarm installation company repairs an alarm system within thirty (30) days  
25 after a false alarm, the alarm installation company may transmit the repair invoice or other written

1 record of the repair to the alarm administrator, in which instance the alarm administrator shall  
2 delete the false alarm from the alarm user's record. There shall be no more than two repair  
3 deletions allowed per alarm user registration per year.

4 J. All alarm system installation company personnel responding to alarms, or  
5 repairing or installing alarm systems shall wear a picture identification card issued by the alarm  
6 installation company on their company uniform, which identifies the individual and the alarm  
7 installation company. The alarm system installation company personnel includes, without  
8 limitation, any person or entity that derives any pecuniary benefit from any contract for the  
9 installation of any alarm system, including any person or entity that sells a contract for the  
10 installation or monitoring of an alarm system. This identification card shall be in a standard form  
11 approved by the alarm administrator. The identification card shall be issued by the alarm  
12 installation company after a background investigation has been conducted on that individual. No  
13 identification card shall be issued if the applicant has been convicted of a felony. Each alarm  
14 installation company shall pay a fine in accordance with Section 20-5.14 SFCC 1987 for each and  
15 every installation conducted in whole or in part by an employee who lacks the required  
16 background investigation or identification card.

17 **Section 6. Section 20-5.11 SFCC 1987 (being Ord. #2009-33, §12) is amended to**  
18 **read:**

19 **20-5.11 Duties and Authority of the Alarm Administrator.**

20 A. The alarm administrator shall obtain reports from the regional emergency  
21 communications center that include:

- 22 (1) Alarm dispatch requests;
  - 23 (2) Cancellations of alarm dispatch requests; and
  - 24 (3) Verification that the monitoring company used enhanced call verification
- 25 when the alarm dispatch request was made.

1           B.     The alarm administrator shall establish a procedure to record alarm dispatch  
2 requests for the purpose of maintaining records, which shall include, without limitation the  
3 following information:

4                   (1)     Identification of the registration number for the alarm site;

5                   (2)     Address of the alarm site;

6                   (3)     Date and time alarm dispatch request was received;

7                   (4)     The time that an alarm dispatch request was cancelled to ensure that the  
8 alarm user will not be fined for a false alarm occurrence if cancellation occurred prior to  
9 law enforcement arrival at the alarm site;

10                  (5)     Name of the monitoring company and the monitoring operator's name or  
11 number;

12                  (6)     Date and time of law enforcement officer arrival at the alarm site and  
13 verification that law enforcement officer left his business card at the site;

14                  (7)     Zone and zone description, if available;

15                  (8)     Weather conditions, mass power failures or surges, or mass telephone  
16 line interruptions;

17                  (9)     Name of alarm user /or alarm user's representatives that were contacted  
18 by the monitoring company prior to the alarm dispatch request;

19                  (10)    Name of alarm user or representative that was available at the alarm site  
20 when law enforcement was present;

21                  (11)    Identification of the responsible alarm installation company or  
22 monitoring company;

23                  (12)    Whether law enforcement officer was unable to locate the address of the  
24 alarm site; and

25                  (13)    Cause of alarm signal, if known.

1 C. The alarm administrator shall determine whether the alarm signal was a false  
2 alarm based upon the information collected in paragraph B. above. Alarms caused by acts of  
3 nature such as severe weather conditions that cause mass activations which are beyond the control  
4 of the alarm user, or signal activations caused by documented mass power failure or surges which  
5 are beyond the control of the alarm user, or mass telephone line interruptions which are beyond  
6 the control of the alarm user shall not be counted as a false alarm.

7 D. The alarm administrator shall establish a procedure to notify the alarm user, in  
8 writing, of a false alarm. The notice shall include the following information:

- 9 (1) The date and time of law enforcement arrival at the false alarm address;
- 10 (2) The identification number of the responding law enforcement officer;
- 11 (3) A statement urging the alarm user to ensure that the alarm system is  
12 properly operated, inspected, and serviced in order to avoid false alarms and resulting  
13 fines;
- 14 (4) The amount of the fine, in accordance with Section 20-5.14 SFCC 1987;
- 15 (5) A statement that city response to a false alarm shall be suspended after  
16 the tenth (10<sup>th</sup>) false alarm (excluding duress, holdup and panic alarms) in a twelve (12)  
17 month period; and
- 18 (6) A description of the appeals procedure available to the alarm user.

19 E. The alarm administrator may require a conference with an alarm user and the  
20 alarm installation company and/or monitoring company responsible for the repair or monitoring  
21 of the alarm system to review the circumstances of each false alarm. For these purposes, the  
22 alarm installation company shall have contact information for the alarm response manager for  
23 each alarm site on record with the alarm administrator.

24 F. The alarm administrator may create and implement an alarm user awareness  
25 class. The alarm administrator may request the assistance of associations, alarm companies and

1 law enforcement agencies in developing and implementing the class. The class shall inform  
2 alarm users of the problems created by false alarms and teach alarm users how to avoid  
3 generating false alarms.

4 G. The alarm administrator may require an alarm user to remove a holdup alarm  
5 device that is a single action, non-recessed button, or have it replaced with an acceptable dual-  
6 action or recessed device after the occurrence of a false holdup alarm.

7 H. The alarm administrator may require an alarm user to remove the duress or panic  
8 alarm capability from the alarm user's alarm system after the occurrence of a false duress or panic  
9 alarm.

10 I. The alarm administrator shall make available to the alarm user this Ordinance  
11 and/or an Ordinance summary sheet.

12 J. If the alarm administrator identifies an alarm installation company that is  
13 operating within the municipal boundaries of the city of Santa Fe without a license from the  
14 construction industries division of the New Mexico regulation and licensing department or  
15 without a valid city of Santa Fe business license, the alarm administrator shall report that business  
16 to the city business license administrator.

17 K. The alarm administrator and all employees or representatives of the city of Santa  
18 Fe shall, in the interest of public safety, hold in confidence:

- 19 (1) all information contained in and gathered through the alarm registration  
20 applications;
- 21 (2) records relating to alarm dispatch requests;
- 22 (3) applications for appeals;
- 23 (4) customer lists obtained from alarm installation companies; and
- 24 (5) customer lists obtained from monitoring companies.

25 **Section 7. Section 20-5.12 SFCC 1987 (being Ord. #2009-33, §14) is amended to**

