



# CITY OF EVERETT Police Department

## Everett Police False Alarm Reduction Program Requests for Review and Appeals

### Definition of False Alarm

The City of Everett Municipal Code defines a false alarm as: “Everett police officers were dispatched to the alarm site in response to an alarm dispatch request; and the investigation of the alarm site by Everett police officers found no evidence that the alarm activation was the result of the commission of or attempted commission of a criminal offense, or that a law enforcement related emergency occurred or was occurring at the alarm site, in which case the alarm will be presumed to be false.

### Requests for Internal Review

An alarm monitoring company and/or an alarm user that has been notified of a false alarm response fee that believes a false alarm did not occur, or that in the interest of justice imposing a fee is not appropriate, may submit a written request for internal review by the police department. The written request must be submitted within fifteen days of the notice that a false alarm fee has been charged. The written request must state all the reasons for disputing the false alarm response fee and provide a mailing address for further correspondence.

The written request for internal review must be mailed to:

Everett Police Department  
ATTN: Alarm Officer  
3002 Wetmore  
Everett, WA 98201

### Alarm Officer Review

Upon receipt of a request for internal review, an Everett Police Department (EPD) alarm officer will consider the information provided by the alarm monitoring company and/or alarm user. The alarm officer will review notes made by dispatch and by responding officers related to the alarm and may make further inquiry as warranted. The alarm officer will respond in writing within fifteen days of the receipt of the request for internal review, and will state if the alarm response fee has been upheld or withdrawn and the reasons supporting the decision. If the alarm response fee is upheld, the response will also notify of the right to appeal by requesting a hearing before a hearing examiner, the address at which to file the appeal, that the notice of appeal shall explain the reasons supporting the appeal, and that if not appealed the alarm response fee is due within 30 days of the alarm officer’s written decision.

**False Alarm Response Fees are generally upheld when the alarm was the result of the following:**

- An accident, such as forgetting the alarm was set and failing to disarm upon return.
- Activations or failure to disarm the system by children, guests, visitors, cleaning crews, private contractors or vendors.
- Accidental activations or failure to disarm by caretakers watching the home or business while owners are away that don't know how or don't remember how to disarm the system or cancel an alarm.
- Alarms caused by property management employees.
- Pets, rodents, or wildlife movement in or near the home or business.
- Items in the home or business that move with drafts and ventilation systems causing motion detectors to trigger (curtains, signs, balloons, etc.).
- Doors and/or windows that are loose and cause an alarm sensor to activate the alarm system due to wind, door knocks, or other contact.
- Glass breakage detectors that trigger due to a noise other than actual glass breakage.
- Faulty, defective, or malfunctioning equipment.
- Improper installation or maintenance of alarm equipment.
- Improper monitoring or improper reporting by an alarm monitoring company.
- Alarm activations that occur while alarm equipment is being repaired or serviced.
- An alarm activation where there is no evidence or indication of criminal activity, fire, or emergency.

This list is only intended as a guide to assist you in deciding whether to request an internal review. It is not intended to cover every situation where an alarm officer determines an alarm response fee will be upheld.

If an alarm response fee is withdrawn due to a determination that criminal activity occurred or there was a law enforcement emergency, a police case report will be completed to document the incident and support further investigation, if warranted.

**Appeals**

An alarm monitoring company and/or an alarm user that has been notified of an alarm officer's written final determination of the internal review request for fee waiver may appeal that a final decision upholding an alarm response fee by filing an appeal in writing with the city's violations hearing examiner. The written appeal must be filed within fifteen days of the date of the alarm officer's written final determination. Notification of the time, date, and place of the appeal will be made within ten days from the date of the notice of appeal.



The written request for appeal to the hearing examiner review must be mailed to:

City of Everett Hearing Examiner  
ATTN: Clerk of the Hearing Examiner  
Code Enforcement  
3002 Wetmore  
Everett, WA 98201

The appeals hearing will be conducted in accordance with Everett Municipal Code 1.20 and the hearing examiner's rules of procedure. Copies of police reports, dispatch logs, and alarm company response request records will be admissible in hearings. The city has the burden of proof to show by a preponderance of the evidence that there was a violation under Everett Municipal Code 9.10 and that the penalty is reasonable. Police department staff and parties to whom the notice of civil penalty was directed may participate as parties in the hearing.

The hearing examiner will affirm, vacate, or modify the alarm officer's decision and mail a copy of the decision to the parties. The hearing examiner order will contain the alleged violation including findings of fact and conclusions, the monetary fee assessed, and the date and time by which the fee must be paid and the manner and means of payment.

Failure to appear at the scheduled hearing will result in an order finding the violation as stated in the fee notice and ordering the appropriate fee.

### **Appeals to Superior Court**

An appeal of the decision of the hearing examiner must be filed in Snohomish County Superior Court within twenty calendar days from the date the hearing examiner's decision was mailed.

