



Washington State Department of  
Labor & Industries

# **Electric Security Alarm Systems**

*2024 Report to the Legislature*

December 2024

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# Executive Summary

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## Introduction

On March 29, 2024, Engrossed Substitute Senate Bill 5950 (ESSB 5950) (Chapter 376, 2024 Laws PV), was signed into law. It directed the Department of Labor & Industries (L&I) to work with the Association of Washington Cities (AWC) and associated stakeholders with an interest in installing and maintaining “electric security alarm systems.” The purpose was to identify appropriate pathways to streamline the permitting process and any other recommendations to facilitate the installation of these systems. L&I is also directed to report such findings by Dec. 15, 2024.

In 2024, HB 1304 was introduced in the state Legislature. The legislation established a statewide standard for installing and operating electric security alarm systems in order to streamline adoption and provide certainty for the systems’ installations. In testimony, cities raised concerns about the legislation. L&I requested amendments to HB 1304 that were subsequently adopted; however, the bill did not pass.

As directed by the Legislature, L&I formed a workgroup — the “electric security alarm systems workgroup” — with AWC and interested parties. L&I’s role was to facilitate and provide administrative support to workgroup participants.

## Current State

L&I’s Electrical program regulates all electrical permits, inspections, and plan approvals as required by the electrical laws under chapter 19.28 RCW within their jurisdiction. There are 25 municipalities and one utility that have jurisdiction to do the same.

Jurisdictions inspect electrical work to National Electrical Code (NEC) standards, which do not address electric security alarm systems. Electric fence energizers, electric fences, and fence grounding for humans or livestock are not regulated by codes adopted in electrical laws and rules by L&I.

AMAROK, a security alarm company specializing in electric security alarm systems for commercial properties, has faced ongoing inconsistencies with local regulations when applying for and installing these systems for local businesses across Washington state. Due to the systems’ common likening to a fence, local zoning requirements and processes vary significantly from one jurisdiction to another. Currently, local governments can regulate fencing and may develop regulations that specifically limit, or prohibit, the use of these systems within the local government’s jurisdiction.

According to AMAROK, at present there are more than three dozen businesses statewide that, on average, have been waiting over 180 days for approval to install electric security alarm systems. Almost one-third of these businesses have been waiting more than 365 days for approval.

AWC participants raised concerns that the legislation: preempts cities from determining what is best for the local community; allows for fences higher than many cities currently allow in industrial, manufacturing, and outdoor storage properties zoned as mixed-use; introduces different permit requirements for electric security alarms and electric security fences; and affects public safety.

The workgroup considered a series of suggestions and proposals to facilitate permitting and installation of electric security alarm systems. After extensive work, five meetings, and a good-faith effort, the workgroup was unable to reach an agreement. The group has committed to continue communicating.

# Introduction

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On March 29, 2024, ESSB 5950 — the supplemental operating budget for the 2023-2025 biennium — was signed into law. Section 220(57) directed L&I to work with the Association of Washington Cities (AWC) and associated stakeholders with an interest in installing and maintaining electric security alarm systems to identify appropriate pathways to streamline the permitting process and any other recommendations in order to facilitate the installation of these systems.

In 2024, House Bill (HB) 1304 was also introduced in the state Legislature. The provisions of the bill included:

- Prohibiting local governments from adopting or enforcing any regulations on manufacturing, industrial, or outdoor storage property that would:
  - prohibit the installation or use of electric security alarm systems;
  - require other than International Electrotechnical Commission (IEC) standards for electric security alarm systems and associated fence energizers;
  - require a property setback for an electric security fence or its components from an external fence greater than that required by IEC standards for separation; and
  - Require a permit for such a system other than a security alarm permit or impose a permit fee of more than \$1,000.
- Exempting a local government that has, prior to Jan. 1, 2024, adopted regulations permitting electric security alarm systems in accordance with IEC standards in commercial and industrial zones from the requirements of the bill.
- Requiring the State Building Code Council to adopt or amend rules by July 1, 2025, to provide that electric security alarm systems are not considered structures under the State Building Code when placed behind a perimeter fence in compliance with the bill.

L&I requested an amendment to HB 1304 during the 2024 session that was subsequently adopted; however, the bill did not pass. The amendment clarified that electric security fence energizers and electric security alarm systems were regulated under IEC standards and systems supporting that equipment would continue to be regulated by the NEC. This amendment eliminated conflicts with electrical laws and rules adopted by L&I and applicable across Washington.

In testimony, cities were opposed to the legislation. They raised concerns that the legislation: preempts cities from determining what is best for the local community; allows for fences higher than many cities currently allow in industrial, manufacturing, and outdoor storage properties

zoned as mixed-use; introduces different permit requirements for electric security alarms and electric security fences; and affects public safety.

## Workgroup Participants and Meetings

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As directed by the Legislature, L&I formed a workgroup — the “electric security systems workgroup” — with AWC and interested parties. L&I’s role was to facilitate and provide administrative support to workgroup participants.

The workgroup consisted of representatives from:

- L&I
- AWC
- AMAROK
- Washington State Association of Counties (WSAC)
- City representatives
- AMAROK clients and representatives
- Washington Association of Building Officials (WABO)

Workgroup participants are listed in full on pg. 10.

The workgroup held five meetings from July through November 2024.

Interested parties AMAROK and AWC described the problem statement for the workgroup as:

- AMAROK, an electric security fencing company, experiences inconsistent regulations. Local governments can regulate fencing and may develop regulations that specifically limit, or prohibit, the use of electric fences within the local government’s jurisdiction.
- AWC participants raised concerns that the legislation: preempts cities from determining what is best for the local community; allows for fences higher than many cities currently allow in industrial, manufacturing, and outdoor storage properties zoned as mixed-use; introduces different permit requirements for electric security alarms and electric security fences; and affects public safety.

On July 16, 2024, the meeting consisted of developing a common understanding of goals and deliverables among the group, reviewing the budget requirements and bill content, and identifying the interests and roles of those participating in the workgroup. L&I and AMAROK also facilitated a site visit to give the group an opportunity to observe an installed electric security alarm system and learn more about how the systems work.

On Aug. 12, 2024, the second meeting focused on what other states and cities in Washington state are doing and reviewed draft concepts. The workgroup presented and discussed city

ordinances that passed allowing the use of electric security alarm systems, city fencing codes, and legislation enacted in other states. The workgroup also discussed issues and barriers they are facing and possible solutions. AWC agreed to share a draft concept with the workgroup, and AMAROK would provide feedback prior to the next meeting.

On Sept. 10, 2024, AWC shared its draft concept for discussion. AMAROK requested more time to work on its draft proposal. The workgroup agreed to reconvene at the next meeting to allow for more time.

On Sept. 24, 2024, AMAROK and AWC shared their draft concepts (See Appendix B and C). AMAROK's intent for the proposal was identified as wanting to establish statewide standards for installing and operating electrified security alarm systems. AWC's intent for its proposal was identified as an effort to create a statewide electric security alarm fence code that is effective in all jurisdictions, did not preempt local government, but eliminated the need for each jurisdiction to separately adopt an ordinance to specify applicable standards. After discussions, AMAROK agreed to revisit the AWC concept to provide feedback and continue working with AWC prior to the next workgroup meeting.

On Nov. 5, 2024, AMAROK shared a letter stating its position to the workgroup (see Appendix D). The workgroup discussed the provisions provided in the letter but still could not reach agreement on a proposal.

# Current State Overview

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L&I's Electrical program regulates all electrical permits, inspections, and plan approvals as required by the electrical laws under chapter 19.28 RCW within their jurisdiction. There are 25 municipalities and one utility that have jurisdiction to do the same. Generally, an electric security alarm system is a security measure that deters people from crossing a boundary by means of an electric shock. To be consistent with the International Electrotechnical Commission (IEC) standards, an electric security alarm system must be installed behind a nonelectric perimeter barrier and connected to an alarm device that detects trespass when the system has been touched or tampered with and will trigger an alarm.

In addition, L&I adopts the National Electric Code (NEC) standards that apply throughout Washington. Any municipality wishing to permit and inspect within its jurisdiction must apply a standard equal to or higher than the code adopted by L&I. Local jurisdictions inspect electrical work to NEC or higher standards, which do not address electric security fences. Whether in L&I jurisdiction or a city's, permits and inspections are required to install wiring and equipment that supply power to the electric security fence – but do not apply to the electric security fence itself. Equipment that must be permitted and inspected includes audio and visual alarms, cameras, photovoltaic arrays, and batteries and circuits supplying electric fence energizers. In addition, any energizers must have a label indicating they were evaluated for safety by a third party to appropriate IEC standards. Again, the wiring from the electric fence energizer to the electric security fence is not permitted, inspected, or approved by L&I.

Last year, L&I issued over 264,000 electrical permits within its jurisdiction. Of those, 27 were issued for security systems that included electric security alarm systems. No applications for security systems were denied. For over a decade, L&I has been issuing electrical permits and inspecting the systems energizing electric security systems.

The electrical codes adopted are intended to prevent electric shock. In contrast, electric fence energizers, electric fences, and fence grounding for humans or livestock are designed to create an electric shock as a deterrent. They are therefore not regulated by codes adopted in electrical laws and rules by L&I.



# Conclusion

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The workgroup considered a series of suggestions to facilitate permitting and installing electric security alarm systems. After extensive work, five meetings, and a good-faith effort, the workgroup was unable to reach an agreement. They have committed to continue communicating.

L&I would like to thank the workgroup participants who volunteered their time and energy:

- Michael Pate, AMAROK
- Brian Enslow, Arbutus, LLC
- Briahna Murray, Gordon Thomas Honeywell
- Samantha Louderback, AMAROK
- Shirley Shultz, City of Tacoma
- Casey Brown, Cascade Government Affairs (representing AMAROK)
- Holly Chisa, HPC Advocacy (representing AMAROK)
- Bobby Inabinet, AMAROK
- Paul Jewell, Washington State Association of Counties
- Charlie Brown; Cascade Government Affairs, LLC (representing AMAROK)
- Abby Moore, behalf of AMAROK
- James Tumelson, Washington Association of Building Officials
- Jody Fetters, Titus Will
- Robert Porter, Carlile Transportation
- Wendell Hiser, Carlile Transportation
- Carl Schroeder, Association of Washington Cities
- Keith Kaneko, AMAROK
- Luis Farias, AMAROK
- Donald McLellan, AMAROK
- Amina Abdalla, Gordon Thomas Honeywell
- Lyset Cadena, Cadena Consulting

# Appendices

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## APPENDIX A – ESHB 1304 BILL LANGUAGE

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### ENGROSSED SUBSTITUTE HOUSE BILL 1304

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State of Washington                      68th Legislature                      2023 Regular Session

By House Local Government (originally sponsored by Representatives Hackney and Walen)

READ FIRST TIME 02/14/23.

1            AN ACT Relating to electric security alarm systems; adding a new  
2 section to chapter 35.21 RCW; adding a new section to chapter 35A.21  
3 RCW; adding a new section to chapter 36.01 RCW; adding a new section  
4 to chapter 19.27 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.**    The legislature finds that recent changes  
7 in alarm system technology can be beneficial for protecting property  
8 owners from ongoing theft, and help to minimize the demand on local  
9 government policing and judicial resources. The legislature further  
10 finds that state and local building codes related to electric  
11 security alarm systems vary widely from jurisdiction to jurisdiction  
12 and that a uniform definition and application of a statewide standard  
13 for installation of such systems would be beneficial to industrial  
14 and commercial property owners statewide. It is, therefore, the  
15 intent of the legislature to establish a statewide standard for the  
16 installation and operation of electric security alarm systems to  
17 streamline adoption and provide certainty for installation of such  
18 systems.

19            NEW SECTION.    **Sec. 2.**    A new section is added to chapter 35.21  
20 RCW to read as follows:

1 (1) Cities and towns may not adopt or enforce any ordinance, land  
2 use regulation, or building code for manufacturing, industrial, or  
3 outdoor storage property that:

4 (a) Prohibits the installation or use of an electric security  
5 alarm system;

6 (b) Imposes installation or operational requirements inconsistent  
7 with IEC standards or this section for an electric security alarm  
8 system fence energizers and electric fences;

9 (c) Requires a property setback for an electric security alarm  
10 system or its ancillary components beyond the distance required by  
11 IEC standards for separation from an external fence that surrounds  
12 the perimeter of the outdoor storage property, including any existing  
13 nonconforming or grandfathered fence; or

14 (d) Requires a permit of any type other than a security alarm  
15 permit for the installation or use of an electric security alarm  
16 system or imposes a fee for such a permit of more than \$1,000.  
17 Nothing in this section precludes a city or town from regulating or  
18 requiring a permit for a nonelectric perimeter fence or wall.

19 (2) A city or town that has, prior to January 1, 2024, adopted an  
20 ordinance, land use regulation, or building code that permits  
21 electric security alarm systems in accordance with IEC standards in  
22 commercial and industrial zones within the city or town is not  
23 subject to the requirements of this section.

24 (3) For the purposes of this section:

25 (a) "Electric security alarm system" means an outdoor alarm  
26 system and ancillary components, including a fence-like wiring  
27 structure, placed behind an existing nonelectric fence that:

28 (i) Interfaces with an alarm system in a manner that enables the  
29 fence to cause the connected alarm system to transmit a signal  
30 intended to detect and alert the property owner of an intrusion or  
31 burglary;

32 (ii) Has an energizer that is driven by battery of no more than  
33 12 volts of direct current and that does not produce an electric  
34 charge on contact that exceeds energizer characteristics set for  
35 electric fence energizers by IEC standards;

36 (iii) Is surrounded by a nonelectric perimeter fence or wall that  
37 is at least five feet in height;

38 (iv) Is 10 feet in height or two feet higher than the height of  
39 the nonelectric perimeter fence or wall, whichever is greater; and

1 (v) Is marked with conspicuous warning signs that are located on  
2 the fence at not more than 30-foot intervals and that read: "WARNING:  
3 ELECTRIC FENCE."

4 (b) "IEC standards" means the international electrotechnical  
5 commission standard 60335-2-76, as most recently published on or  
6 before January 1, 2021.

7 (c) "Outdoor storage property" means a commercial property,  
8 regardless of zoning designation, that is legally authorized to  
9 store, park, service, sell, or rent vehicles, vessels, equipment,  
10 materials, freight, or utility infrastructure within an outdoor lot  
11 or yard that is surrounded by a nonelectric perimeter fence or wall.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21  
13 RCW to read as follows:

14 (1) Code cities may not adopt or enforce any ordinance, land use  
15 regulation, or building code for manufacturing, industrial, or  
16 outdoor storage property that:

17 (a) Prohibits the installation or use of an electric security  
18 alarm system;

19 (b) Imposes installation or operational requirements inconsistent  
20 with IEC standards or this section for an electric security alarm  
21 system fence energizers and electric fences;

22 (c) Requires a property setback for an electric security alarm  
23 system or its ancillary components beyond the distance required by  
24 IEC standards for separation from an external fence that surrounds  
25 the perimeter of the outdoor storage property, including any existing  
26 nonconforming or grandfathered fence; or

27 (d) Requires a permit of any type other than a security alarm  
28 permit for the installation or use of an electric security alarm  
29 system or imposes a fee for such a permit of more than \$1,000.  
30 Nothing in this section precludes a code city from regulating or  
31 requiring a permit for a nonelectric perimeter fence or wall.

32 (2) A code city that has, prior to January 1, 2024, adopted an  
33 ordinance, land use regulation, or building code that permits  
34 electric security alarm systems in accordance with IEC standards in  
35 commercial and industrial zones within the code city is not subject  
36 to the requirements of this section.

37 (3) For the purposes of this section:

1 (a) "Electric security alarm system" means an outdoor alarm  
2 system and ancillary components, including a fence-like wiring  
3 structure, placed behind an existing nonelectric fence that:

4 (i) Interfaces with an alarm system in a manner that enables the  
5 fence to cause the connected alarm system to transmit a signal  
6 intended to detect and alert the property owner of an intrusion or  
7 burglary;

8 (ii) Has an energizer that is driven by battery of no more than  
9 12 volts of direct current and that does not produce an electric  
10 charge on contact that exceeds energizer characteristics set for  
11 electric fence energizers by IEC standards;

12 (iii) Is surrounded by a nonelectric perimeter fence or wall that  
13 is at least five feet in height;

14 (iv) Is 10 feet in height or two feet higher than the height of  
15 the nonelectric perimeter fence or wall, whichever is greater; and

16 (v) Is marked with conspicuous warning signs that are located on  
17 the fence at not more than 30-foot intervals and that read: "WARNING:  
18 ELECTRIC FENCE."

19 (b) "IEC standards" means the international electrotechnical  
20 commission standard 60335-2-76, as most recently published on or  
21 before January 1, 2021.

22 (c) "Outdoor storage property" means a commercial property,  
23 regardless of zoning designation, that is legally authorized to  
24 store, park, service, sell, or rent vehicles, vessels, equipment,  
25 materials, freight, or utility infrastructure within an outdoor lot  
26 or yard that is surrounded by a nonelectric perimeter fence or wall.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01  
28 RCW to read as follows:

29 (1) Counties may not adopt or enforce any ordinance, land use  
30 regulation, or building code for manufacturing, industrial, or  
31 outdoor storage property that:

32 (a) Prohibits the installation or use of an electric security  
33 alarm system;

34 (b) Imposes installation or operational requirements inconsistent  
35 with IEC standards or this section for an electric security alarm  
36 system fence energizers and electric fences;

37 (c) Requires a property setback for an electric security alarm  
38 system or its ancillary components beyond the distance required by  
39 IEC standards for separation from an external fence that surrounds



1 the perimeter of the outdoor storage property, including any existing  
2 nonconforming or grandfathered fence; or

3 (d) Requires a permit of any type other than a security alarm  
4 permit for the installation or use of an electric security alarm  
5 system or imposes a fee for such a permit of more than \$1,000.  
6 Nothing in this section precludes a county from regulating or  
7 requiring a permit for a nonelectric perimeter fence or wall.

8 (2) A county that has, prior to January 1, 2024, adopted an  
9 ordinance, land use regulation, or building code that permits  
10 electric security alarm systems in accordance with IEC standards in  
11 commercial and industrial zones within the county is not subject to  
12 the requirements of this section.

13 (3) For the purposes of this section:

14 (a) "Electric security alarm system" means an outdoor alarm  
15 system and ancillary components, including a fence-like wiring  
16 structure, placed behind an existing nonelectric fence that:

17 (i) Interfaces with an alarm system in a manner that enables the  
18 fence to cause the connected alarm system to transmit a signal  
19 intended to detect and alert the property owner of an intrusion or  
20 burglary;

21 (ii) Has an energizer that is driven by battery of no more than  
22 12 volts of direct current and that does not produce an electric  
23 charge on contact that exceeds energizer characteristics set for  
24 electric fence energizers by IEC standards;

25 (iii) Is surrounded by a nonelectric perimeter fence or wall that  
26 is at least five feet in height;

27 (iv) Is 10 feet in height or two feet higher than the height of  
28 the nonelectric perimeter fence or wall, whichever is greater; and

29 (v) Is marked with conspicuous warning signs that are located on  
30 the fence at not more than 30-foot intervals and that read: "WARNING:  
31 ELECTRIC FENCE."

32 (b) "IEC standards" means the international electrotechnical  
33 commission standard 60335-2-76, as most recently published on or  
34 before January 1, 2021.

35 (c) "Outdoor storage property" means a commercial property,  
36 regardless of zoning designation, that is legally authorized to  
37 store, park, service, sell, or rent vehicles, vessels, equipment,  
38 materials, freight, or utility infrastructure within an outdoor lot  
39 or yard that is surrounded by a nonelectric perimeter fence or wall.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 19.27  
2    RCW to read as follows:

3        (1) By July 1, 2025, the state building code council shall adopt  
4    or amend rules as necessary to provide that electric security alarm  
5    systems are not considered structures under the state building code  
6    when placed behind an existing perimeter fence in compliance with  
7    sections 2, 3, and 4 of this act.

8        (2) For the purposes of this section, "electric security alarm  
9    system" has the same meaning as in section 2 of this act.

--- END ---

## **AMAROK PROPOSAL FOR ESTABLISHING A STATEWIDE ELECTRIFIED SECURITY ALARM SYSTEM STANDARD**

### **Intent:**

Establish a statewide standard for the installation and operation of electrified security alarm systems.

### **Key Provisions:**

Establish “electrified security alarm systems” definition that eliminates any reference to fences.

Prohibit local governments from adopting or enforcing regulations that would prohibit the installation or use of an electrified security alarm system.

Impose requirements that electrified security alarm systems comply with the international electrotechnical commission.

Require use of perimeter fences that can be regulated by building codes.

Establish a setback from the perimeter fence for electrified security alarm systems that is consistent with the international electrotechnical commission standards.

Authorize use of a security alarm system permit and fee process for installation of electrified security alarm systems.

Require the State Building Code Council to adopt or amend rules establishing that electrified security alarm systems are not considered structures under the State Building Code when placed behind a perimeter fence in compliance with the bill.

### **Proposed Revisions to RCW:**

NEW SECTION. Sec. 1. A new section is added to chapter 35.21 RCW to read as follows:

(1) Cities and towns may not adopt or enforce any ordinance, land use regulation, or building code for manufacturing, industrial or outdoor storage property that:

- (a) Prohibits the installation or use of an electrified security alarm system;
- (b) Imposes installation or operational requirements inconsistent with IEC standards or this section for an electrified security alarm system;
- (c) Requires a property setback for an electrified security alarm system or its ancillary components beyond the distance required by IEC standards for separation from an external fence



that surrounds the perimeter of the outdoor storage property, including any existing non-conforming or grandfathered fence; or

(d) Requires a permit of any type other than a security alarm permit for the installation or use of an electrified security alarm system or imposes a fee for such a permit of more than \$1,000.

(2) For the purposes of this section:

(a) "Electrified security alarm system" means an outdoor alarm system and ancillary components, including a fence-like wiring structure, placed behind an existing non-electric fence that:

(i) Interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to detect and alert the property owner of an intrusion or burglary;

(ii) Has an energizer that is driven by battery of no more than 12 volts of direct current and that does not produce an electric charge on contact that exceeds energizer characteristics set for electric fence energizers by IEC standards;

(iii) That is surrounded by a non-electric perimeter fence or wall that is at least five feet in height;

(iv) Is 10 feet in height or two feet higher than the height of the non-electric perimeter fence or wall, whichever is greater; and

(v) Is marked with conspicuous warning signs that are located on the fence at not more than 30-foot intervals and that read: "WARNING: ELECTRIC FENCE."

(b) "IEC standards" means the standards set by the international electrotechnical commission as most recently published on or before January 1, 2021.

(c) "Outdoor storage property" means a commercial property, regardless of zoning designation, that is legally authorized to store, park, service, sell, or rent vehicles, vessels, equipment, materials, freight, or utility infrastructure within an outdoor lot or yard that is surrounded by a non-electric perimeter fence or wall.

NEW SECTION. Sec. 2. A new section is added to chapter 35A.21 RCW to read as follows:

(1) Code cities may not adopt or enforce any ordinance, land use regulation, or building code for outdoor storage property that:

(a) Prohibits the installation or use of an electrified security alarm system;

(b) Imposes installation or operational requirements inconsistent with IEC standards or this section for an electrified security alarm system;

(c) Requires a property setback for an electrified security alarm system or its ancillary components beyond the distance required by IEC standards for separation from an external fence that surrounds the perimeter of the outdoor storage property, including any existing non-conforming or grandfathered fence; or

(d) Requires a permit of any type other than a security alarm permit for the installation or use of an electrified security alarm system or imposes a fee for such a permit of more than \$1,000.

(2) For the purposes of this section:

(a) "Electrified security alarm system" means an outdoor alarm system and ancillary components, including a fence-like wiring structure, placed behind an existing non-electric fence that:

- (i) Interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to detect and alert the property owner of an intrusion or burglary;
  - (ii) Has an energizer that is driven by battery of no more than 12 volts of direct current and that does not produce an electric charge on contact that exceeds energizer characteristics set for electric fence energizers by IEC standards;
  - (iii) That is surrounded by a non-electric perimeter fence or wall that is at least five feet in height;
  - (iv) Is not higher than the greater of 10 feet in height or two feet higher than the height of the non-electric perimeter fence or wall; and
  - (v) Is marked with conspicuous warning signs that are located on the fence at not more than 30-foot intervals and that read: "WARNING: ELECTRIC FENCE."
- (b) "IEC standards" means the standards set by the international electrotechnical commission as most recently published on or before January 1, 2021.
- (c) "Outdoor storage property" means manufacturing, industrial, or commercial property, regardless of zoning designation, that is legally authorized to be used for a commercial purpose that stores, services, sells, or rents vehicles, vessels, equipment, materials, freight, or utility infrastructure within an outdoor lot or yard.

NEW SECTION. Sec. 3. A new section is added to chapter 36.01 RCW to read as follows:

- (1) Counties may not adopt or enforce any ordinance, land use regulation, or building code for outdoor storage property that:
- (a) Prohibits the installation or use of an electrified security alarm system;
  - (b) Imposes installation or operational requirements inconsistent with IEC standards or this section for an electrified security alarm system;
  - (c) Requires a property setback for an electrified security alarm system or its ancillary components beyond the distance required by IEC standards for separation from an external fence that surrounds the perimeter of the outdoor storage property, including any existing non-conforming or grandfathered fence; or
  - (d) Requires a permit of any type other than a security alarm permit for the installation or use of an electrified security alarm system or imposes a fee for such a permit of more than \$1,000.
- (2) For the purposes of this section:
- (a) "Electrified security alarm system" means an outdoor alarm system and ancillary components, including a fence-like wiring structure, placed behind an existing non-electric fence that:
    - (i) Interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to detect and alert the property owner of an intrusion or burglary;
    - (ii) Has an energizer that is driven by battery of no more than 12 volts of direct current and that does not produce an electric charge on contact that exceeds energizer characteristics set for electric fence energizers by IEC standards;
    - (iii) That is surrounded by a non-electric perimeter fence or wall that is at least five feet in height;
    - (iv) Is not higher than the greater of 10 feet in height or two feet higher than the height of the non-electric perimeter fence or wall; and

- (v) Is marked with conspicuous warning signs that are located on the fence at not more than 30-foot intervals and that read: "WARNING: ELECTRIC FENCE."
- (b) "IEC standards" means the standards set by the international electrotechnical commission as most recently published on or before January 1, 2021.
- (c) "Outdoor storage property" means manufacturing, industrial, or commercial property, regardless of zoning designation, that is legally authorized to be used for a commercial purpose that stores, services, sells, or rents vehicles, vessels, equipment, materials, freight, or utility infrastructure within an outdoor lot or yard.

NEW SECTION. Sec. 4. A new section is added to chapter 19.27 RCW to read as follows:

- (1) By July 1, 2025, the state building code council shall adopt or amend rules as necessary to provide that electrified security alarm systems are not considered structures under the state building code when placed behind an existing perimeter fence in compliance with section 1 of this act.
- (2) For the purposes of this section, "electrified security alarm system" has the same meaning as in section 1 of this act.

## APPENDIX C – AWC PROPOSAL OUTLINE

- State creates statewide electric security alarm fence code that is effective (without an ordinance needing to be adopted/going before Council or Planning Commission) in all jurisdictions that do not otherwise have a code. The current bill says we cannot prohibit xyz so needs to be reworked.
  - State code will also contain some basic provisions in terms of the fence being in structural condition to accommodate the device and minimum standards for the fence itself so it is safe to utilize.
  - Open to AMAROK proposing components of the state code and these minimum standards.
- State code applies in all cities, except:
  - Any city with an ordinance related to electric fence alarm systems that is in place before the effective date of the act. And;
  - Any city that adopts, after the effective date of this act, an ordinance regulating electric fence alarm systems that differs from the provisions of the model ordinance.
  - Local ordinance could be anything up to and including banning entirely.



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November 1, 2024

To the stakeholders negotiating electric alarm systems:

On behalf of AMAROK and the businesses we provide services to, we'd like to thank the cities for their continued commitment to working with us. We recognize the common goal of the discussions is to find an effective and timely method for permitting and installing electric security alarm systems. We also understand that local governments are generally opposed to any statewide preemption legislation.

AMAROK appreciated the offer of compromise from the cities, which is as follows:

1. State creates statewide electric security alarm fence code that is effective (without an ordinance needing to be adopted/going before Council or Planning Commission) in all jurisdictions that do not otherwise have a code that specifically regulates electric security fence alarm systems. General fence or electric fence codes that do not contemplate an alarm system cannot be used to prevent the installation of the electric security fence alarm, and do not constitute codes that trigger grandfathering. *(Note: The current bill says cities cannot prohibit xyz so needs to be reworked.)*
  1. State code will also contain some basic provisions in terms of the fence being in structural condition to accommodate the device and minimum standards for the fence itself so it is safe to utilize. This includes the apparatus being installed behind a fence that meets the minimum requirements established in the IEC standards for an electric security alarm system.
  2. Open to Amarak proposing components of the state code and these minimum standards.
2. State code applies in all cities, except:
  1. Any city with an ordinance related to electric fence alarm systems that is in place before the effective date of the act. And;
  2. Any city that adopts, after the effective date of this act, an ordinance regulating electric fence alarm systems that differs from the provisions of the model ordinance.
  3. Local ordinance could be anything up to and including banning entirely.
3. State directs MRSC to provide Technical Assistance webpage to promote efficient permit processing

After much consideration, and a substantial internal discussion about the concept of reverse preemption, upon which we understand this proposal is based, AMAROK has determined it cannot accept the offer as outlined because it maintains the present day disparities and does

not address the fundamental need and requests for this security technology statewide. The following is AMAROK's feedback to the cities' initial proposal.

Section 1 concept is acceptable, as long as we rework the language.

However, section 2 as currently drafted will not work because section 2, subsection 2, implies that a city can still adopt an ordinance regulating these systems in a manner that differs from the "model ordinance" that would, presumably, be the state law. Further, section 2, subsection 3, explicitly states that a "local ordinance could be anything up to and including banning entirely" [the alarm system]. These two provisions are directly counter to the fundamental need at hand which is equipping businesses with proven security technology to secure their property and provide a safe work environment for their employees. The base objective for this legislation is to bring uniformity to the allowance and permitting so that this security technology may be deployed by businesses in a timely manner where needed. Subsections 2 and 3 undermine the reason why we are seeking state legislative action and would negatively impact at least one-third of businesses statewide due to existing prohibitions or inefficient and inequitable permitting processes.

Two of the key issues we are trying to address include 1) uniformity of application across all municipalities in the state, and 2) the ability for businesses to promptly employ this highly sought after security technology to secure their commercial and industrial outdoor storage properties. Critically, the intention of the legislation is to provide clarity of process for businesses to install the systems in a timely manner. Instead, this proposal creates further instability by allowing for code changes AFTER local businesses have made substantial investments in the installation of the alarm systems.

We would support legislation which:

- Defines these systems as alarms
- Allows for the installation of these alarm systems directly behind existing fencing structures in compliance with adopted safety standard IEC 60335-2-76.
- Allows municipalities to charge for permitting of the alarm systems
- Requires the use of nationally recognized safety standards used by the industry
- Limits the use of the electric security alarm systems to commercial, manufacturing, and industrial properties where property is stored outdoors
- Specifies that an electric security alarm system is not a fence or structure as contemplated under state building codes

Our legislation is not uncommon and has been adopted in 25 other states, including Oregon and most recently California. A statewide standard provides a sensible solution to long-standing persistent problems that despite numerous, lengthy efforts by multiple parties, have not been able to be resolved. Currently, WA lacks uniformity in process, classification/determination for these systems leaving vital businesses/industries vulnerable to growing property crime and preventing them from having a proven effective solution. A technology solution that costs the state and local governments nothing, something that would be wholly borne by those affected businesses and industries.

The systems are a known technology, having been deployed in many locations in WA for over 12 years, systems that are Nationally Recognized Testing Laboratory tested and labeled to a national standard. The systems are also fully green energy, carbon neutral, utilizing 100% renewable energy. Lastly, these systems, in addition to being completely safe, reduce interactions between criminals, would-be trespassers and law enforcement, reducing incarceration rates, and reducing the burden on local government and taxpayers.

Thank you for your consideration.

Respectfully,  
Keith Kaneko

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ULTIMATE PERIMETER SECURITY