

RECORD OF ORDINANCES

Ordinance No. 2019-36Passed May 1, 2019

SPONSOR: SAFETY COMMITTEE

AN ORDINANCE CREATING CHAPTER 117 OF THE CODIFIED ORDINANCES REGARDING FALSE ALARMS, AND DECLARING AN EMERGENCY

WHEREAS, this Council finds it appropriate and necessary to create Chapter 117 of the Code of Ordinances of the Village of Mogadore regarding alarm user responsibility; and,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio as follows:

SECTION 1: That the Village of Mogadore Codified Ordinances Chapter 117 is hereby created and shall state as follows:

117.01 PURPOSE.

The purpose of this chapter is to protect the police and fire emergency services of this Village from misuse.

117.02 DEFINITIONS.

(a) "Alarm system" means any assembly or equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which police or fire emergency personnel are expected to respond.

(b) "Alarm user" means a person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility where an alarm system is maintained.

(c) "False alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation, improper maintenance or the negligence of the owner or lessee of an alarm system or of his employees or agents. Such terminology does not include, for example, alarms caused by tornadoes, earthquakes, power outages or other similar violent conditions.

117.03 ALARM USER RESPONSIBILITY.

(a) No alarm user shall allow more than four false alarms to be transmitted during any given consecutive six-month period. An alarm shall be classified as false if the responding police or fire personnel see no evidence of fire, smoke, robbery, burglary, vandalism, unauthorized intrusion or medical emergency.

(b) Following four false alarms within a six-month period, the person owning or leasing such system shall, for each false alarm thereafter, pay an administrative fine of fifty dollars (\$50.00).

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(c) No alarm user shall knowingly allow an alarm system to be used by any person or entity to create a false alarm as defined in this chapter.

(d) If any of the charges for false police or fire alarms imposed herein are not paid upon receipt of the invoice for same, or within forty-five (45) days thereafter, such charges shall be referred to the Village Law Director for appropriate legal action.

(e) Within twenty (20) days of the service of a violation under this chapter, any alarm user affected thereby may appeal the classification of an alarm as a false alarm herein to the Director of Public Safety, who shall hear and decide the appeal within fourteen (14) days thereafter.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare of Village residents, for the immediate implementation of these rules, and to allow for the continued operations of the Village Administration, Fire Department, Police Department and other departments and shall, therefore, take effect and be in force from and immediately after its passage.

Michael Raddish 5-1-19
President of Council Date

[Signature] 5-1-19
Mayor Date

Attest:

[Signature]
Clerk – Treasurer