

MEMORANDUM

TO: The Honorable Chair and Members of City Council

FROM: Mark A. Winn, Chief Assistant City Attorney

DATE: January 6, 2009

RE: Proposed Ordinance Amending Chapter 20

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You have on your Agenda for Thursday, January 8, 2009 a proposed ordinance which amends Chapter 20 relating to false alarms requiring a Fire Department response. Discussions with the Fire Department have identified several changes which need to be made which are outlined in this memorandum. Additional discussions with the Billing and Collections Department indicate a need to change the effective date in order to allow them sufficient time to implement the policies and procedures which are necessary to implement the ordinance. The following changes are recommended:

The definition of a fire alarm activation report should be amended to read as follows:

Fire Alarm Activation Report means a document issued by the enforcement official indicating that the activation was deemed to be the result of a false fire alarm.

Section (e)(2)(b) should be amended to read as follows:

Other provisions of this section notwithstanding, when the police officer determines that no security alarm permit has been issued for the premises, it shall be unlawful for any responsible party, when so notified, to fail or refuse to respond the premises.

Section (e)(3)(a) should be amended in the introductory paragraph to read:

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Failure to return an “affidavit of service and repair” within said fifteen (15) days of service, will result in an assessment against the responsible party of a fee as set forth in the following schedule, and may result in the revocation of the permit to operate a security alarm system.

The last sentence in Section (h)(4) should be amended to read as follows:

However, within fifteen (15) calendar days from the date the Police or Fire Chief or designee issues the written determination, the responsible party must present the enforcement official written evidence from a licensed alarm technician certifying the alarm system is operating properly; otherwise the security alarm permit for the premises shall become automatically revoked.

In Section 4 of the ordinance, the effective date should be changed to May 15, 2009.

If the foregoing changes are acceptable to City Council, you should move approval of the Ordinance as amended since first reading (the foregoing changes will then be included).

If you have any questions, please feel free to contact me.

Mark A. Winn

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