

CITY OF PALMER, ALASKA

ORDINANCE NO. 353

AN ORDINANCE ADDING A NEW CHAPTER 8.40 - FALSE ALARMS TO TITLE 8 OF THE PALMER MUNICIPAL CODE.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

Section 2. Severability. If any provisions of this ordinance, or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. A new Chapter 8.40 - False Alarms is hereby added to Title 8 as follows:

Chapter 8.40

FALSE ALARMS

Sections:

- 8.40.010 Definitions.
- 8.40.020 Prohibited acts.
- 8.40.030 Alarm registration.
- 8.40.040 False alarm charges.
- 8.40.050 Existing alarms.
- 8.40.060 Penalties and remedies.

8.40.010 Definitions. A. "Alarm" means any operable device except an official municipal fire alarm, but including without limitation, automatic dialing devices which telephone a prerecorded message or transmit a signal or message directly or indirectly, to the Palmer Police Department or Fire Department and devices that produce an audible or visible signal which is intended to alert the police or some other person that a criminal act, fire or other emergency exists and requires assistance. Devices commonly known as "smoke alarms" intended primarily for residential use and designed to emit a signal upon the detection of smoke, fumes or heat shall not be considered alarms for purposes of this chapter.

B. "Chief of police" means the chief of the City of Palmer Police Department or his designee.

C. "False alarm" means an alarm signal that the chief of police determines is caused by a reason other than that condition for which the alarm is designed or a natural phenomenon beyond the control of the owner.

D. "Owner" means a person who is responsible for the proper operation of an alarm under this chapter and who has registered with the chief of police pursuant to Section 8.40.030 of this chapter.

8.40.020 Prohibited acts. A. No person shall cause, permit or allow a false alarm signal to be emitted from an alarm.

B. No person shall own, install, connect, operate or possess an alarm except as provided in this chapter.

C. No person shall own, operate, connect, install or possess an audible alarm unless that alarm automatically ceases to emit an audible sound after 16 minutes and does not repeat the audible sound thereafter.

D. No person shall install, connect, own or possess an automatic direct dial alarm in such a fashion as to ring any telephone number at the Palmer Police Department other than those which the chief of police may designate for such use.

8.40.030 Alarm registration. A person who owns or possesses an alarm shall register immediately certain information required by the chief of police with the chief of police including without limitation, the identity of the owner, location of the alarm, and the name and telephone number of a responsible individual for that alarm. An owner is under a continuing obligation to keep

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the information on his registration current by reporting any change to the chief of police within 10 days.

8.40.040 False alarm charges. A. The owner of an alarm shall pay a progressive charge in accordance with this section for each and every false alarm to which the police/fire respond within a twelve (12) month period.

<u>Charges</u>	<u>Burglar Alarm Charges</u>	<u>Fire Alarm Charges</u>
First four false alarms	No charge	No charge
Fifth false alarm	\$25.00	\$125.00
Sixth false alarm	\$50.00	\$150.00
Seventh false alarm	\$75.00	\$175.00
Eighth false alarm	\$100.00	\$200.00
Ninth false alarm	\$125.00	\$225.00
Tenth false alarm	\$150.00	\$250.00
Each false alarm in excess of ten	\$300.00	\$400.00

B. The police department shall bill the owner for false alarms and the owner shall pay those charges within thirty (30) days of receipt of said bill.

C. New alarm installations and existing alarm upgrades shall have a thirty (30) day grace period before charges begin.

8.40.050 Existing alarms. Any person who presently owns, operates or possesses any alarm within the City of Palmer which does not conform to the requirements of this chapter shall disconnect that alarm and render it inoperable or alter it in accordance with this chapter no later than January 1, 1987.

8.40.060 Penalties and remedies. A. In addition to any other remedy or penalty provided by this chapter, a person who violates a provision of this chapter shall be subject to a civil penalty of not more than \$1,000.00 for each offense, or injunctive relief to restrain the person from continuing the violation or threat of the violation, or both such civil penalty and injunctive relief. Upon application by the municipality for injunctive relief and a finding that a person is violating or threatening to violate a provision of this chapter, the superior court shall grant injunctive relief to restrain the violation.


B. Each day during which a violation described in this section occurs shall constitute a separate offense.

Section 4. Publication and Effective Date. This ordinance shall become effective immediately upon its adoption and publication and shall be by posting a copy hereof on the City Hall bulletin board for a period of ten (10) days following its adoption, and it shall be published at its next regular supplementation and printing. A notice of public hearing shall be given by such posting at least five (5) days before final passage.

First Reading: October 23, 1986

Public Hearing &
Second Reading: November 4, 1986

Adopted by the City Council of the City of Palmer, Alaska, this 4th day of November, 1986.



GEORGE W. CARTE, MAYOR



DAVID L. SOULAK, CITY CLERK