

ORDINANCE NO. 03-11

ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor (votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
STEVE LEIFSON <i>Council member</i>	X	
JENS P. NIELSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this ordinance be adopted: Councilmember Dart

I SECOND the foregoing motion: Councilmember Davis

ORDINANCE No. 03-11

AN ORDINANCE AMENDING THE FALSE ALARM REQUIREMENTS OF SPANISH FORK CITY

WHEREAS, Spanish Fork City adopted a false alarm ordinance in order to eliminate the number of false alarms and responses thereto within the City, including the attendant risks; and

WHEREAS, the ordinance has now been in place for a number of months and several false alarm penalties have been assessed; and

WHEREAS, some of the businesses against who penalties have been assessed

have not paid the assessment and the City has determined that an adequate enforcement remedy for collection of the assessments does not exist within the ordinance, necessitating an amendment thereto;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Spanish Fork City Municipal Code §9.44.060 is hereby amended by amending the provisions of paragraph A, changing existing paragraph B to paragraph E, and creating a new paragraphs B, C & D as follows:

9.44.060 False Alarms

- A. For each false alarm to which emergency personnel are dispatched (even if the call is subsequently cancelled) in any calendar year, the alarm user shall be issued a warning or shall pay an administrative service fee to the City according to the following schedule:

First three false alarms	Warning
Fourth false alarm	Fifty dollars (\$50.00)
Fifth false alarm	Seventy-five dollars (\$75.00)
Sixth through ninth false alarms	One hundred dollars (\$100.00)
Tenth and subsequent false alarms	Two hundred dollars (\$200.00)

- B. All administrative service fees assessed under this Chapter shall be paid to the City within (30) days of the date the notice of the assessment of the service fee is mailed to the alarm user. If any service fee is not paid within the time set forth above, late penalties shall be assessed against the alarm user according to the following schedule:

1-60 days	Ten dollars (\$10.00)
61-90 days	Twenty dollars (\$20.00)
91-120 days	Thirty dollars (\$30.00)

- C. The City may use all available legal remedies to collect delinquent service fees and late penalties. If a delinquent service fee is owed by a business, payment of the fee and late penalties is required prior to the renewal of the alarm user's business license.

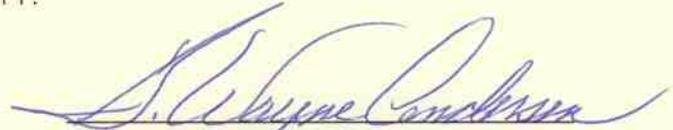
- D. An alarm permit shall be suspended for any failure by the alarm user to pay any administrative service fee and applicable late penalties imposed pursuant to this Chapter within (120) days of the date that notice of the assessment of the service fee is mailed to the alarm user. The Public Safety Director may also suspend any alarm permit if the Director determines that the alarm system in question has a history of unreliability, which unreliability shall be presumed upon the occurrence of ten false alarms in any calendar year. A suspension for unreliability may be lifted upon a showing that the conditions which caused the false alarms have been corrected. An alarm user whose alarm permit is suspended from the City shall pay a reinstatement fee of one hundred dollars (\$100.00) to the City before such permit shall be reinstated. Notwithstanding the above, a fire alarm permit shall not be suspended if such an alarm is required by the building code or any statute, law, or other ordinance.

- E. [formally paragraph B-no change]

II.

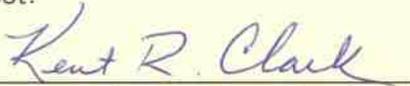
This ordinance shall become effective 20 days after passage and publication.

DATED this 15th day of February, 2011.



G. WAYNE ANDERSEN, Mayor

Attest:



Kent R. Clark, City Recorder

