

ORDINANCE NO. OR10-22

AN ORDINANCE BY THE TROTWOOD CITY COUNCIL REPEALING OLD SECTION 707.11 “EXCESSIVE FALSE ALARMS” OF THE CITY OF TROTWOOD CODE OF ORDINANCES AND ADOPTING NEW SECTION 707.11 “EXCESSIVE FALSE ALARMS” TO CONFORM WITH THE CITY OF TROTWOOD’S TABLE OF FEES ESTABLISHED BY RESOLUTION OF COUNCIL.

WHEREAS, City Council has adopted a resolution establishing a Table of Fees which sets forth various permit fees, administrative fees, and service charges; and

WHEREAS, City Council has determined that the current Section 707.11 (“Excessive False Alarms”) of Part Seven (“Business Regulation Code”), Chapter 707 (“Alarm Systems”), requires revision to conform to the City of Trotwood’s Table of Fees; and

WHEREAS, City Council has determined that the current Section 707.11 “Excessive False Alarms” of the City of Trotwood Code of Ordinances should be repealed in its entirety and replaced with a new Section 707.11 (“Excessive False Alarms”).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: The current Section 707.11 (“Excessive False Alarms”) of the City of Trotwood Code of Ordinances be and hereby is repealed in its entirety.

SECTION II: A new Section 707.11 (“Excessive False Alarms”) of the City of Trotwood Code of Ordinances be and hereby is adopted to read as set forth in Exhibit “A”, which is attached hereto and incorporated herein by reference, with additions in **bold** and underlined and deletions in ~~strikethrough~~.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including, but not limited to, Section 121.22 of the Ohio Revised Code.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

SECTION IV:

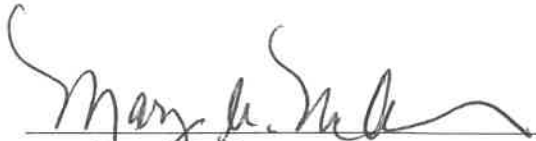
This Ordinance shall take effect at the earliest time allowed by law.


Passed this 4th day of April, 2022.

ATTEST:

APPROVED:


KARA B. LANDIS
CLERK OF COUNCIL


MARY A. MCDONALD
MAYOR


YVETTE F. PAGE
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. **OR10-22** adopted by the Trotwood City Council at a regular scheduled meeting held on the **4th** day of **April, 2022**, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL

EXHIBIT A
PROPOSED ORDINANCE REVISIONS
 NEW LANGUAGE IN **BOLD** AND UNDERLINED / DELETIONS IN ~~STRIKETHROUGH~~

707.11 EXCESSIVE FALSE ALARMS.

If any alarm system produces three false alarms in any twelve consecutive month period, written notice of that fact shall be given by regular mail or delivery to the subscriber.

- (a) If more than three false alarms are produced by any alarm system in a twelve month period, an administrative fee ~~as follows~~ shall be assessed: **in accordance with the City of Trotwood Table of Fees established by Resolution of Council.**

- ~~(1) Four (4) to eight (8) false alarms in one calendar month: \$50.00 per alarm over 4th alarm and less than 9th alarm~~
~~(2) Nine (9) or more false alarms in one calendar month: \$100.00 per alarm over the 9th alarm~~

These fees shall be in addition to any criminal penalties imposed under Section 707.99. Such charges shall continue for each successive false alarm until six consecutive months have elapsed during which time no false alarms have been recorded. At that time the record will be cleared and the next false alarm shall be deemed to be the first such incident. The question of whether a false alarm has occurred may be appealed by the alarm user under the applicable procedures set forth later in Section 707.18 by an alarm user who has been assessed a false alarm administrative fee.

- (b) The permit issued to an alarm user may be revoked with the result that the alarm user may be required to disconnect the alarm system in such fashion that signals are not emitted so as to notify the Police Department either directly or indirectly. The procedure for such orders to disconnect is set forth in Section 707.17.
- (c) For the purposes of this section, a false alarm shall not be deemed to have occurred:
- (1) If caused by some factor not within the control of the alarm user, e.g. equipment malfunction, phone line disruption, extremely severe weather, etc.; and
- (2) If that cause is verified within forty-five days of the false alarm by a letter from the applicable alarm business, which letter identifies the problem, declares that it has been resolved, and describes the corrective measures that were taken.
- (d) An alarm system may be reconnected only if satisfactory evidence is provided to the Chief of Police that the alarm system has been repaired so that it does not emit further false alarms and upon payment of all delinquent charges assessed for false alarms.