

TOWN OF JEROME
ORDINANCE # 322

**AN ORDINANCE OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA
INSTITUTING AND ESTABLISHING FEES, FINES AND OTHER CHARGES FOR
OFFENSES PERTAINING TO FALSE ALARMS**

WHEREAS, the Jerome Town Council is empowered to establish fees and fines and other charges for the offenses pertaining false alarms; and

WHEREAS, such fees, fines and other charges are an important revenue source to support the Jerome Police Department; and

WHEREAS, the fees, fines and other charges will be incorporated into the Town of Jerome's police budget for the fiscal year 2004-2005; and

WHEREAS, the Jerome Town Council will hold two public hearings on the proposed fees, fines and other charges on April 13th, 2004 and May 11th, 2004 and publish a notice in the local newspaper.

REGULATIONS

- A. It is unlawful for any person to intentionally activate any burglar, robbery, fire or panic alarm except to warn of a criminal act of unauthorized entry on or into alarm-protected premises. This subsection shall not apply to the testing of an alarm system when the police department has been given advance notice of such testing.**
- B. No person shall install, use or cause to be used any telephone device or telephone attachment that automatically selects or dials the Emergency 911 number, a published emergency telephone number, or any Town / City telephone number and then reproduces any prerecorded message or signal**

PENALTY

- A. When an alarm system generates two false alarms within a calendar year, the Jerome Police Department shall send a warning notice to the**

Alarm user that two subsequent false alarms within said period will subject the notified party to sanctions as provided herein.

B. Any alarm system which has four or more false alarms within a calendar year, shall be subject to penalty assessments as hereafter pro

- C. It is unlawful for any person to intentionally activate any burglar, robbery, fire or panic alarm except to warn of a criminal act of unauthorized entry on or into alarm-protected premises. This subsection shall not apply to the testing of an alarm system when the police department has been given advance notice of such testing.
- D. No person shall install, use or cause to be used any telephone device or telephone attachment that automatically selects or dials the Emergency 911 number, a published emergency telephone number, or any City telephone number and then reproduces any prerecorded message or signal. (Ord. 330 1, 1995)
- E. It is unlawful for any person to intentionally activate any burglar, robbery, fire or panic alarm except to warn of a criminal act of unauthorized entry on or into alarm-protected premises. This subsection shall not apply to the testing of an alarm system when the police department has been given advance notice of such testing.
- F. No person shall install, use or cause to be used any telephone device or telephone attachment that automatically selects or dials the Emergency 911 number, a published emergency telephone number, or any City telephone number and then reproduces any prerecorded message or signal. (Ord. 330 1, 1995)
- G. **It is unlawful for any person to intentionally activate any burglar, robbery, fire or panic alarm except to warn of a criminal act of unauthorized entry on or into alarm-protected premises. This subsection shall not apply to the testing of an alarm system when the police department has been given advance notice of such testing.**
- H. **No person shall install, use or cause to be used any telephone device or telephone attachment that automatically selects or dials the Emergency 911 number, a published emergency telephone number, or any City telephone number and then reproduces any prerecorded message or signal. (Ord. 330 1, 1995)**

- 8.32.010 Definitions
- 8.32.020 Alarm user's responsibilities
- 8.32.030 Regulations
- 8.32.040 Penalty
- 8.32.050 Penalty assessment appeal
- 8.32.060 Grace period
- 8.32.070 Exemptions
- 8.32.080 Liability of City limited

8.32.010 Definitions

The following words and phrases, whenever used in this section shall be construed as defined in this section:

- A. "Act of nature" means an unusual, extraordinary sudden and unexpected manifestation of the forces of nature, the effects of which cannot be prevented by reasonable human care, skill or foresight.
- B. "Alarm system" means nay mechanical or electrical device which is used for the detection of smoke, fire or unauthorized entry into a building or other facility or for alerting others of the occurrences of fire or a medical emergency or the commission of an unlawful act within a building or other facility and which is designed to emit an outside audible alarm or transmits a signal or message when actuated. "Alarm systems" include direct dial telephone devices, audible alarms and proprietary alarms.
- C. "Alarm user" means any person who purchases, leases, and contracts for, otherwise obtains, or uses an alarm system.
- D. "Burglar alarm system" means an alarm system signaling an entry or attempted entry to the area protected by a system.
- E. "Common cause" means a technical difficulty or malfunction, which causes an alarm system to generate a series of false alarms.
- F. "False alarm" means any activation of an alarm not caused by or as a result of a criminal act, fire, unauthorized entry, or act of n nature, except for activation for testing purposes when the police department has been given advance notice of such testing or activation caused by the police department.
- G. "Fire alarm system" means an alarm system designed to detect, and cause to be reported to the fire department or emergency communications center, a fire alarm condition. "Fire alarm system" does not include single station detectors not connected to a central monitoring station or an outside audible alarm sounding device.

8.32.30 Regulations

- I. It is unlawful for any person to intentionally activate any burglar, robbery, fire or panic alarm except to warn of a criminal act of unauthorized entry on or into alarm-protected premises. This subsection shall not apply to the testing of an alarm system when the police department has been given advance notice of such testing.

- J. No person shall install, use or cause to be used any telephone device or telephone attachment that automatically selects or dials the Emergency 911 number, a published emergency telephone number, or any City telephone number and then reproduces any prerecorded message or signal. (Ord. 330 1, 1995)

8.32.40 Penalty

- A. When an alarm system generates two false alarms within a Calendar year, the police department shall send a warning notice to the alarm user that two subsequent false alarms with said period will subject the notified party to the sanctions as provided herein.
- B. Any alarm system which has four or more false alarms within a calendar year, shall be subject to penalty assessments as hereinafter provided:
 - 1) If the police department records four false alarms within a calendar year for any alarm system, the police department shall notify the alarm user by certified mail of such fact. The police chief or a designee shall direct that the alarm user within ten days of receipt of the notice of excessive false alarms, pay a penalty assessment to the city in the sum of twenty-five dollars. The alarm user shall be required to pay a penalty assessment of fifty dollars for each subsequent false alarm.
 - 2) In the event the assessment is not tendered within ten days of receipt of notice, the unpaid balance will be subject to a charge of one and one-half percent per month, compounded monthly, in addition to the assessment.
- C. A report from the police department documenting a police Response to an alarm and investigation, which revealed no evidence of a criminal act or unlawful entry, shall constitute prima facie evidence of a false alarm.
 - 1) Evidence that a false alarm was caused by an act of nature, common cause or action of the telephone company may be presented as a defense to the counting of such an alarm as a false alarm. (Ord. 330 3.1995)

8.32.060 Grace Period

- A. Newly installed and reinstalled alarm systems shall not be subject to the provisions of this section relating to counting and assessment of false alarms for a period of thirty days from the date the alarm system become operational if the alarm owner notifies the city in writing within ten days of the completion of the installation or reinstallation. The written notice shall specify the date the system was installed or reinstalled and if reinstalled, the notice shall also describe the nature and extent of the reinstallation.

- B. Alarm installation companies shall provide written notice to owner of the requirement to give the city written notice of installation or reinstallation. (Ord. 330 1 (1995))

8. 32.070 Exemptions

The provisions of this chapter shall not be applicable to audible alarms affixed to automobiles and audible fire alarms. (Ord. 330 1 1995)

8.32.80 Liability of City limited

The police department shall take every reasonable precaution to assure that alarm notifications received are given appropriate attention and are acted upon with dispatch. Nevertheless, the City shall not be liable for any failure or neglect to respond appropriately upon receipt of an alarm notification. (Ord. 330 1 1995)

Chapter 8.36
Hunting Within City Limits

Sections:

- 8.36.10 Hunting
- 8.36.20 Violation ...Penalty

8.36.010 Hunting

Hunting will be allowed in an area recommended as a hunting area by the Arizona Game and Fish Department; such area shall be approved by the Chief of Police and posted as required by the Chief of Police. Any such area may be closed when deemed unsafe by the Chief of Police or the Director of the Game and Fish Department. (Ord. 378 1, 1999)

8.36.20 Violations---Penalty

Violation of this chapter shall be subject to penalties as provided by Chapter 1.12. General Penalty of the Municipal Code of the city and state statutes. (Ord. 378 2 1999)

Town Of Jerome
ORDINANCE # 322
Chapter Ten Offenses

- 8.32.010 Definitions
- 8.32.020 Alarm user's responsibilities
- 8.32.030 Regulations
- 8.32.040 Penalty
- 8.32.050 Penalty assessment appeal
- 8.32.060 Grace period
- 8.32.070 Exemptions
- 8.32.080 Liability of City limited

8.32.010 Definitions

The following words and phrases, whenever used in this section shall be construed as defined in this section:

- A. "Act of nature" means an unusual, extraordinary sudden and unexpected manifestation of the forces of nature, the effects of which cannot be prevented by reasonable human care, skill or foresight.
- B. "Alarm system" means nay mechanical or electrical device which is used for the detection of smoke, fire or unauthorized entry into a building or other facility or for alerting others of the occurrences of fire or a medical emergency or the commission of an unlawful act within a building or other facility and which is designed to emit an outside audible alarm or transmits a signal or message when actuated. "Alarm systems" include direct dial telephone devices, audible alarms and proprietary alarms.
- C. "Alarm user" means any person who purchases, leases, and contracts for, otherwise obtains, or uses an alarm system.
- D. "Burglar alarm system" means an alarm system signaling an entry or attempted entry to the area protected by a system.
- E. "Common cause" means a technical difficulty or malfunction, which causes an alarm system to generate a series of false alarms.
- F. "False alarm" means any activation of an alarm not caused by or as a result of a criminal act, fire, unauthorized entry, or act of n nature, except for activation for testing purposes when the police department has been given advance notice of such testing or activation caused by the police department.
- G. "Fire alarm system" means an alarm system designed to detect, and cause to be reported to the fire department or emergency communications center, a fire alarm condition. "Fire alarm system" does not include single station detectors not connected to a central monitoring station or an outside audible alarm sounding device.

8.32.30 Regulations

- A. It is unlawful for any person to intentionally activate any burglar, robbery, fire or panic alarm except to warn of a criminal act of unauthorized entry on or into alarm-protected premises. This subsection shall not apply to the testing of an alarm system when the police department has been given advance notice of such testing.
- B. No person shall install, use or cause to be used any telephone device or telephone attachment that automatically selects or dials the Emergency 911 number, a published emergency telephone number, or any City telephone number and then reproduces any prerecorded message or signal. (Ord. 330 1, 1995)

8.32.40 Penalty

- A. When an alarm system generates two false alarms within a Calendar year, the police department shall send a warning notice to the alarm user that two subsequent false alarms with said period will subject the notified party to the sanctions as provided herein.
- B. Any alarm system which has four or more false alarms within a calendar year, shall be subject to penalty assessments as hereinafter provided:
 - 1) If the police department records four false alarms within a calendar year for any alarm system, the police department shall notify the alarm user by certified mail of such fact. The police chief or a designee shall direct that the alarm user within ten days of receipt of the notice of excessive false alarms, pay a penalty assessment to the city in the sum of twenty-five dollars. The alarm user shall be required to pay a penalty assessment of fifty dollars for each subsequent false alarm.
 - 2) In the event the assessment is not tendered within ten days of receipt of notice, the unpaid balance will be subject to a charge of one and one-half percent per month, compounded monthly, in addition to the assessment.
- C. A report from the police department documenting a police Response to an alarm and investigation, which revealed no evidence of a criminal act or unlawful entry, shall constitute prima facie evidence of a false alarm.
 - 1) Evidence that a false alarm was caused by an act of nature, common cause or action of the telephone

company may be presented as a defense to the counting of such an alarm as a false alarm. (Ord. 330 3.1995)

8.32.060 Grace Period

- A. Newly installed and reinstalled alarm systems shall not be subject to the provisions of this section relating to counting and assessment of false alarms for a period of thirty days from the date the alarm system become operational if the alarm owner notifies the city in writing within ten days of the completion of the installation or reinstallation. The written notice shall specify the date the system was installed or reinstalled and if reinstalled, the notice shall also describe the nature and extent of the reinstallation.
- B. Alarm installation companies shall provide written notice to owner of the requirement to give the city written notice of installation or reinstallation. (Ord. 330 1 (1995))

8. 32.070 Exemptions

The provisions of this chapter shall not be applicable to audible alarms affixed to automobiles and audible fire alarms. (Ord. 330 1 1995)

8.32.80 Liability of City limited

The police department shall take every reasonable precaution to assure that alarm notifications received are given appropriate attention and are acted upon with dispatch. Nevertheless, the City shall not be liable for any failure or neglect to respond appropriately upon receipt of an alarm notification. (Ord. 330 1 1995)