

ORDINANCE NO. 19-2021

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CODIFIED ORDINANCE SECTIONS 555.3(b)(1) AND (2), 55.4(a) AND (c) REGARDING FALSE ALARMS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of New Philadelphia, Ohio, at the recommendation of the New Philadelphia Fire Chief, desires to amend the City's codified ordinances with regard to False Alarms.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, THAT:

SECTION 1. Ordinance 555.3(b)(1) and (2) are hereby amended to read as follows:

555.3 (b)

(1) On the first, second, and third false alarm calls within a one-year period, no fee will be imposed; however, the Safety Director shall send a written warning notice to the alarm user advising of the number of false alarms recorded for that alarm system to date and the schedule of fees for multiple false alarms.

(2) For each false alarm after the third false alarm call within a one-year period, a graduated fee shall be imposed as follows:

\$100 for the fourth offense

\$150 for the fifth offense

\$200 for the sixth offense

\$300 for the seventh offense and all subsequent offenses

SECTION 2. Ordinance 555.4(a) and (c) are hereby amended to read as follows:

555.4

(a) Excessive False Alarms. No Alarm User, having been sent each of the written notices for more than three false alarms, as provided in Section 555.03, shall permit a false alarm to occur during the same calendar year. This section shall be construed to impose strictliability for all false alarms occurring after the notices in Section 555.03 have been sent.

(c) Failure to Pay. If payment is not received within those thirty days or if just cause is not shown, the Fire Chief shall send a notice by certified mail to the manager and to the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent, or tenant and to the owner, if different, of the real estate of which the residence is a part, indicating that failure to pay the bill within thirty days, or to show just cause why the bill should not be paid, will result in the assessment of a lien upon the real estate in the amount of the bill. If payment is not received within those thirty days or if just cause is not shown, the amount of the bill shall be entered upon the tax duplicate, shall be a lien upon the real estate from the date of the entry, and shall be collected as other taxes and returned to the city treasury to be earmarked for use for Firefighting Services.

SECTION 3. This Ordinance is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 4. This Ordinance shall take effect and be in force immediately upon its passage.

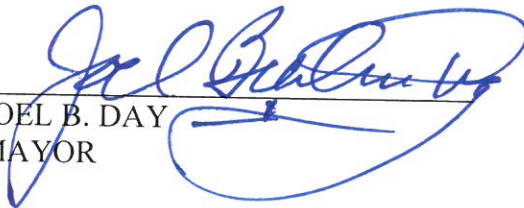
PASSED: Sept 27, 2021

  
DONALD C. KEMP  
PRESIDENT OF COUNCIL

ATTEST:

  
JULIE COURTRIGHT  
CLERK OF COUNCIL

APPROVED:

  
JOEL B. DAY  
MAYOR

SPONSORED BY: SAFETY HEALTH AND SERVICES COMMITTEE