

**CREDIT RIVER TOWNSHIP
SCOTT COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 2007-02

ORDINANCE RELATING TO FALSE ALARMS

The Town Board for the Town of Credit River, Scott County, Minnesota, hereby ordains:

Section 1: **PURPOSE:** The purpose and intent of this Ordinance is to protect the health, safety and welfare of the residents of Credit River Township. The Township contracts with the City of Prior Lake to provide fire services to the Township through the City's volunteer, on-call fire department. As a volunteer, on-call fire department, the volunteers are paid for each call to which they respond. Responding to false alarms depletes the limited resources, people and equipment, with which the City has to respond to emergencies. Further, increased development in the Township creates additional demands on the resources of the Scott County Sheriff's Department. Therefore, in order to protect the residents of the Township by maximizing the limited resources available to the Township, this Section attempts to encourage alarm users to properly maintain and use their alarm systems.

Section 2: **DEFINITIONS:** The following terms shall have the following meanings for the purposes of this ordinance:

Alarm Company means the business by any individual, partnership, corporation or other entity of selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving or installing any Alarm System or causing to be sold, leased, maintained, monitored, services, repaired, altered, replaced, moved or installed, any Alarm System in or on any building, structure or facility.

Alarm System means any instrument or other device that, as one of its purposes, is used to protect buildings, premises or persons from criminal acts, unauthorized entries or acts of nature by warning persons of crime, unauthorized entry and acts of nature through the emission or transmission of a sound or signal.

Alarm User means any person, employee, firm, partnership, association, corporation, company or organization of any kind which uses or is in control of an Alarm System, regardless of whether it owns or leases the system.

False Alarm means any activation of an alarm not caused by or as a result of a criminal act, an unauthorized entry or an act of nature that is received by the Fire and/or Police Department.

Section 3: FALSE ALARMS; PENALTIES: The Township will impose a penalty on any Alarm User for each False Alarm in excess of three (3) per calendar year. The penalty will be:

Fourth Alarm Fee:	\$100.00
Fifth Alarm Fee:	\$150.00
Sixth Alarm Fee:	\$200.00
Seventh Alarm Fee:	\$250.00

The fee shall increase by the sum of fifty dollars (\$50.00) for each succeeding False Alarm thereafter.

If the responding sheriff's deputy or firefighter determines that a False Alarm was caused by the actions of the Alarm Company, a penalty of \$100.00 shall be assessed against the Alarm Company with no corresponding penalty assessed against the Alarm User.

Section 4: COLLECTION OF FALSE ALARM PENALTIES: The failure to promptly pay any and all false alarm penalties shall be considered a public nuisance wherever they may be found in the Township. Further, if an alarm user fails to make payments prescribed herein, the Township may, after notice, specially assess the penalties against the property pursuant to Minnesota Statutes and this Ordinance. All costs incurred by the Township for the abatement and removal of this public nuisance upon privately owned property shall be assessed, levied and collected as a special assessment payable in one sum or by up to ten (10) equal annual installments as the Town Board may provide against such premises, in the manner provided by the law for the levy and collection of other special assessments.

Section 5: SUSPENSION OF POLICE / FIRE RESPONSE: If the requirements of Section 7 of this Ordinance are met, the Town Board, upon consultation with the Scott County Sheriff's Department or the Prior Lake Fire Chief, may suspend police or fire response to Alarm Users by Notice to the Alarm User as provided in Section 6 of this Ordinance. However, the Police and/or Fire Department will respond if independent information is received by the Sheriff and/or Fire Department that verifies the need for immediate police/fire response.

Section 6: NOTICE. The Town Board may serve, in person or by U.S. Mail, the Alarm User with written notification that effective fourteen (14) days

from the date of the notice, the Prior Lake Fire Department and/or the Scott County Sheriff's Department will not respond to alarm dispatch requests received from that Alarm System for the remainder of the calendar year.

Section 7: REQUIREMENTS. When an Alarm User generates more than four (4) False Alarms within a calendar year; or when an Alarm User is more than one hundred twenty (120) days overdue in payment of the Penalty as described in Section 3 of this Ordinance.

Section 8: REINSTATEMENT. To prevent the suspension of services, the Alarm User may elect to pay a penalty of \$500.00. The first False Alarm after the payment of this \$500.00 penalty will be considered the first False Alarm in the calendar year for purposes of assessing further penalties under Section 3 of this Ordinance.

Passed by the Town Board of the Town of Credit River this 5th day of March 2007.

This ordinance shall be effective upon passage and publication in the official Township newspaper.

Dan Casey, Chairman
Credit River Township

ATTEST:

Jerald R. Maas, Clerk
Credit River Township

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