

ORDINANCE NO. 19
Series 2002

October 15, 2002: Introduced as Council Bill No. 11, Series 2002 by Doug Tisdale, Seconded by Bonnie Blum, and considered by the title only on first reading. Passed with a vote of 5 yes and 1 no.

November 19, 2002: Considered in full text on second reading. Passed unanimously. Designated as Ordinance No. 19, Series 2002.

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE AMENDING SECTIONS 3-6-10 AND 3-6-12 OF THE CITY CODE PERTAINING TO FALSE ALARMS

WHEREAS, the City of Cherry Hills Village is a home rule municipal corporation organized in accordance with article XX of the Colorado Constitution; and

WHEREAS, the City of Cherry Hills Village is authorized to regulate noise, the use of land, and activities that affect public safety; and

WHEREAS, the City has previously regulated security alarm systems in accordance with Chapter 6 of Title 3 of the City Code; and

WHEREAS, the Police Department for the City of Cherry Hills Village annually responds to an average of approximately 1,300 activations of security alarms systems; and

WHEREAS, it is estimated that 860 hours of patrol officers' time each year is spent in responding to and investigating false alarms; and

WHEREAS, approximately 99% of all false alarms issued by security alarm systems are the result of user carelessness or preventable alarm system malfunction; and

WHEREAS, a large percentage of false alarms are preventable through more careful operation and better maintenance of alarm systems; and

WHEREAS, the City Council finds that penalty provisions for false alarms and a system of accountability for false alarms will best protect the public and preserve police resources.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. Subsection (A) of section 3-6-10 of the City Code for the City of Cherry Hills Village is hereby amended to read as follows:

- A. Security Alarm System Operating With Permit: The charge for the first ~~three (3) responses~~ **two (2) response(s)** made by the Police Department to the location of a false alarm during a calendar year is included in the annual security alarm permit fee. A charge in accordance with the following schedule shall be paid to the City by the permittee of a security alarm system upon each successive response made by the Police Department to the location of a false alarm during the same calendar year.

False Alarm Response Service Charge Schedule

<u>Response</u>	<u>Charge</u>
<u>First</u>	<u>No Charge</u>
<u>Second</u>	<u>No Charge</u>
<u>Third</u>	<u>100.00</u>
4	25.00
5	40.00
6	55.00
7	70.00
8	85.00
9	100.00
<u>Fourth and each successive response</u>	<u>200.00</u>

Section 2. Subsection (A) of section 3-6-12 of the City Code for the City of Cherry Hills Village is hereby amended to read as follows:

- A. Revocation of Permit: The following shall constitute grounds for the revocation of an alarm system permit:

ABJ053

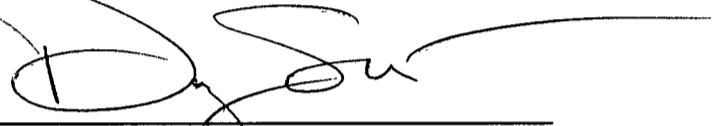


1. The violation of any of the provisions of this Chapter including the failure to obtain a permit;
2. When any security alarm system activates more than ~~nine (9)~~ **four (4)** false alarms during any calendar year, thereby constituting a public nuisance; and
3. Failure to pay the service charges after sixty (60) days of the billing date pursuant to Section 3-6-10 of this Chapter.

Section 3. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

Section 4. Effective Date. This Ordinance shall take effect January 1, 2003 and shall apply to offenses on or after that date.

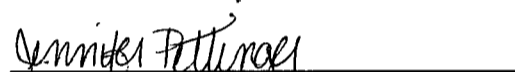
Adopted as Ordinance No. 19 Series 2002, by the City Council of the City of Cherry Hills Village, Colorado this 19 day of November, 2002.



Douglas C. Scott, Mayor

ATTEST:

APPROVED AS TO FORM:



Jennifer Pettinger, City Clerk



Robert C. Widner, City Attorney

ABJ053

