

Ordinance No. 833

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING CHAPTER 10 "OFFENSES", ARTICLE 10-05 "ALARM SYSTEMS" OF THE PRESCOTT VALLEY TOWN CODE BY ADOPTING BY REFERENCE A DOCUMENT ENTITLED "AMENDMENTS TO ARTICLE 10-05 'ALARM SYSTEMS'" (DECLARED BY RESOLUTION NO 2012 TO BE A PUBLIC RECORD) WHICH, PROVIDES THAT ALARM COMPANY OPERATORS VERIFY THAT BURGLAR ALARMS ARE NOT FALSE ALARMS PRIOR TO REQUESTING LAW ENFORCEMENT RESPONSE, IMPOSING A CIVIL SANCTION FOR ANY UNVERIFIED ALARMS REPORTED AS VERIFIED ALARMS, PROVIDING THAT APPLICATION AND ENFORCEMENT OF NEW SECTION 10-05-035 "VERIFIED ALARM RESPONSE" SHALL BE ON AND AFTER JANUARY 1, 2018, PROVIDING THAT ALL OTHER CHAPTERS, ARTICLES AND SECTIONS OF THE TOWN CODE, NOT HEREIN REPEALED, REENACTED, OR AMENDED SHALL REMAIN IN FULL FORCE AND EFFECT, PROVIDING THAT, IF ANY PROVISION IN THIS ORDINANCE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL CONTINUE IN FULL FORCE AND EFFECT, AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW

WHEREAS, on August, 26, 1982, the Town Council of the Town of Prescott Valley, Arizona, adopted Ordinance No 73 to enact §11-1-22 "FALSE ALARMS" of the Town Code declaring it unlawful for a fire, burglar or other alarm to give off a "false alarm", and

WHEREAS, on May 26, 1988, the Council adopted Ordinance No 178 renumbering and amending §11-1-22, and

WHEREAS, on November 21, 2013, the Council adopted Ordinance No 779 repealing what was then §10-01-040 "FALSE ALARMS" and enacting a new Article 10-05 "ALARM SYSTEMS" to establish a process that included a civil sanction for false alarms in an effort to reduce the number of false alarms that require a law enforcement response (and the associated costs thereof), and

WHEREAS, the process has since resulted in a reduction in the number of alarm calls but the ratio of false alarms to real criminal events has not changed and the Town has not realized the cost reduction anticipated, and

WHEREAS, most false alarms are caused by failure to maintain, properly arm or disarm, or train employees in proper operation of alarm systems, and

WHEREAS, the Town has studied processes used by communities of similar size around the country and learned that imposing a requirement for alarm companies to

verify that there is evidence that burglar alarms (in particular) are not false alarms (and imposing a civil sanction on alarm companies if they knowingly or intentionally report an unverified burglar alarm as a verified alarm) has substantially reduced such false alarms, and

WHEREAS, after public discussion, the Council has determined that it is in the best interests of the community to modify the process of regulating alarm systems by amending Article 10-05 to impose similar requirements, and

WHEREAS, ARS §9-802 provides for adoption by reference of particularly lengthy or complex ordinances when they have first been declared by resolution to be “public records”,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA AS FOLLOWS

SECTION ONE That Article 10-05 “ALARM SYSTEMS” in Chapter 10 “OFFENSES” of the Town Code be hereby amended as set forth in that certain document entitled “AMENDMENTS TO ARTICLE 10-05 ‘ALARM SYSTEMS’” declared to be a “public record” by Resolution No 2012 (and available for public inspection in the Office of the Town Clerk, 7501 East Civic Circle, Prescott Valley, Arizona, 86314)

SECTION TWO That, in accordance with the requirements of ARS §9-803, new Section 10-05-035 “VERIFIED ALARM RESPONSE” in “Article 10-05 “ALARM SYSTEMS” of Chapter 10 “OFFENSES” of the Town Code is hereby set forth in full as a penalty clause, as follows

10-05-035 VERIFIED ALARM RESPONSE

- A. The police department will not respond to Burglar Alarms unless they are Verified Alarms as defined in this Article. In reporting such an Alarm to the police department, Alarm Company Operators must confirm that the Alarm is a Verified Alarm as defined in this Article.
- B. An Alarm Company Operator who reports that a Burglar Alarm is a Verified Alarm to the police department is required to maintain the evidence it used to verify the Burglar Alarm for not less than sixty (60) days. The Alarm Company Operator will make the evidence available to the police department within ten (10) business days upon written request for purposes of auditing the evidence used should the police department have reasonable concern that the Alarm Company Operator had not, in fact, verified the Burglar Alarm.

C Any Alarm Company Operator that knowingly or intentionally reports an unverified Burglar Alarm as a Verified Alarm shall be subject to a civil sanction of \$500.00

SECTION THREE That the application and enforcement of new Section 10-05-035 "Verified Alarm Response" shall be on and after January 1, 2018

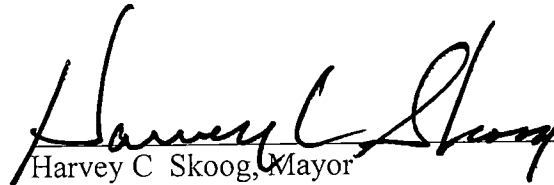
SECTION FOUR That all other Chapters, Articles, and Sections of the Town Code, not herein repealed, reenacted or amended, shall remain in full force and effect

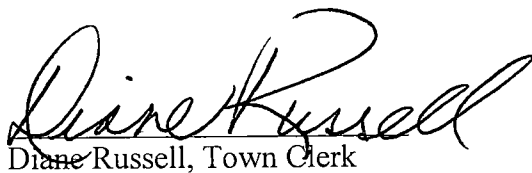
SECTION FIVE That, if any provision of this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect

SECTION SIX That this Ordinance shall be effective 30 days after its passage and approval according to law

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 12th day of October, 2017




Harvey C. Skoog, Mayor


Diane Russell, Town Clerk

APPROVED AS TO FORM


Ivan Legler, Town Attorney