

## ORDINANCE NO. 2023-37

### An Ordinance repealing and recreating City of Cedarburg Code Section 5-4-9 Fee for Answering Alarms

**The Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:**

**SECTION 1.** Section 5-4-9 of the Code of Ordinances of the City of Cedarburg is hereby repealed and recreated as follows:

**Sec. 5-4-9 Fee for answering alarms.**

- (a) *Generally.* Each false alarm requires response of public safety personnel, involves unnecessary expense to the city, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the city. Such false alarms constitute a public nuisance and must be abated.
- (b) *Intentional.* No person shall intentionally cause the activation of a burglar/fire alarm device knowing that no criminal activity, fire or other emergency exists.
- (c) *False alarms; administrative charges.* Any person, business, corporation, or other entity having an alarm system with alarm device(s) at one or more locations in accordance with this chapter shall pay to the city a charge for false alarms responded to by the police or fire department. These charges shall be adopted by the Common Council by Resolution from time to time and shall be listed on the fee schedule. Separate charges will be assessed for false alarms as to criminal activity.

Failure to pay such administrative charge(s) in and of itself shall constitute a violation of this section, and such charge(s) shall be collectible as a forfeiture upon prosecution and conviction thereof. Additional forfeiture(s), together with cost of prosecution, may also be imposed under subsection (d) hereof for violations of this section for allowing or maintaining condition(s) or act(s) that violate the intent of this section to eliminate and minimize the occurrence of false alarms.

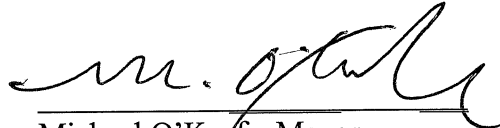
- (d) *Other violations.* Any person, corporation or other entity violating this Chapter in any manner, other than for collection of unpaid administrative charges treated in the preceding subsection (a) of this section, shall be subject to forfeiture as provided in section 1-1-7 of this Code. When any premises located in the city is owned, leased or occupied by two or more persons as joint tenants, tenants in common, joint lessees, or in any other manner, each person shall see that the provisions of this chapter are complied with, and each person may be subjected to a penalty on violation of this section.

(Ord. No. 92-54; Ord. No. 96-42)

**SECTION 2.** Severability. If any provision of this ordinance is invalid or unconstitutional, such invalidity of unconstitutionality shall not affect the other provisions of this ordinance.

**SECTION 3.** Effective Date: This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Passed and adopted this 11<sup>th</sup> day of December, 2023.

  
Michael O'Keefe, Mayor

Attest:

  
Tracie Sette, City Clerk

Approved as to form:

  
Michael P. Herbrand, City Attorney