

CHARTER TOWNSHIP OF CASCADE
KENT COUNTY, MICHIGAN

ORDINANCE NO. 01-2010

At a regular meeting of the Township Board for Cascade Charter Township held at the Wisner Center in the Cascade Library on March 10, 2010, beginning at 7:00 pm., the following Ordinance was offered for adoption by Township Board Member Koessel, and was seconded by Township Board Member Goldberg:

AN ORDINANCE PROHIBITING FALSE FIRE ALARM ACTIVATIONS

THE CHARTER TOWNSHIP OF CASCADE ORDAINS:

Section 1. Title. This Ordinance shall be known and referred to as the False Fire Alarm Ordinance: of the Charter Township of Cascade.

Section 2. Purpose. The purpose of this Ordinance is to facilitate the reduction of false fire alarms and the misuse of the manpower and resources of the fire department caused by the dispatch of units to the scene of a false alarm.

Section 3. Definitions. The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

- a) *Alarm system* means any device or piece of equipment or an assembly of equipment and devices designed or arranged to signal visibly, audibly, electronically, mechanically or by any combination of these methods the presence of a fire requiring urgent attention and to which the Township's fire department is expected to respond.
- b) *Alarm user* means any person, whether owner, occupant or tenant, residential or commercial properties upon whose premises an alarm system is maintained or operated within the Township, except for alarm systems on motor vehicles.
- c) *False alarm* means any activation of an alarm system not resulting from a fire of the type, which the alarm system is designed and intended to detect, except activation caused by criminal activity, acts of God or verifiable interruptions of electrical or telephonic service to an alarm user and any water surges from the City of Grand Rapids Water Department.
- d) An *Act of God* means an unusual, extraordinary, sudden or unexpected display of the forces of nature against which the science and the skill of mankind are of no avail.
- e) *Person* means any individual, partnership, corporation, unincorporated association or any group of persons.

Section 4. False Alarm: Penalty. No alarm user shall maintain, use, or allow the use of an alarm system or alarm systems, which signals false alarms. An alarm system user shall be in violation of this Code whenever any alarm system signals more than

two (2) false alarms in any three hundred sixty five (365) day period. Except as otherwise set forth herein, any person who violates this Ordinance, shall be punishable by a civil fine determined in accordance with the following schedule:

- a) The fine for the first false alarm in excess of the number herein permitted shall be no less than fifty dollars (\$50.00).
- b) The fine for the second false alarm in excess of the number herein permitted shall be not less than seventy-five dollars (\$75.00).
- c) The fine for the third false alarm in excess of the number herein permitted shall be not less than one hundred fifty dollars (\$150.00).
- d) The fine for [the fourth and] each subsequent false alarm in excess of the number herein permitted shall be not less than three hundred dollars (\$300.00).

Additionally, the violator shall pay costs, which may include all expenses, direct and indirect to which the Township has been put in connection with these civil fine.

Section 5. Disposition of funds. All false alarm fees received under this ordinance shall be utilized only for funding the Township's fire department.

Section 6. Intentional false alarms. Any person who knowingly or willfully initiates a false alarm shall be guilty of a misdemeanor which, upon conviction, shall be punishable by a fine not exceeding five hundred dollars (\$500.00) and costs, or by imprisonment in the Kent County Jail for a period not to exceed 90 days, or by both such fine and imprisonment at the discretion of the court.

Section 7. Severability. This Ordinance and the various parts, paragraphs, sections, subsections, sentences, phrases, and clauses thereof, are hereby declared to be severable. If any part, paragraph, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

Section 8. Effective Date. This Ordinance shall become effective seven (7) days after publication in a newspaper of general circulation in the Township.

The above ordinance was submitted for its consideration at a meeting of the Township Board held on March 10, 2010 and was adopted at a regular board meeting of the Township Board on March 10, 2010 the vote being as:

YEAS : Supervisor Beahan, Trustee Koessel, Lewis, Fox, Goldberg, Treasurer Peirce

NAYS : None

ABSENT: Clerk Goodyke

ORDINANCE DECLARED ADOPTED.

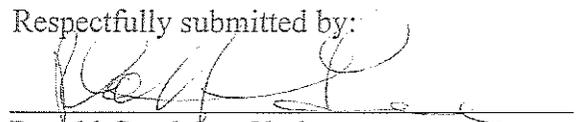


Ronald Goodyke, Clerk
Cascade Charter Township

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Cascade Charter Township Board at a regular meeting held on March 10, 2010, beginning at 7:00 p.m. at the Wisner Center, pursuant to the required statutory procedures.

DATED: March 10, 2010

Respectfully submitted by:


Ronald Goodyke, Clerk
Cascade Charter Township