

ORDINANCE NO. 2009- XIII

ORDINANCE ESTABLISHING SERVICE CHARGES FOR FALSE ALARMS REPORTED TO FLOYD COUNTY POLICE DEPARTMENT

WHEREAS, the County of Floyd typically responds to burglar alarms when notified by alarm companies and/or individuals; and

WHEREAS, many persons who are the owners of property where burglar alarms are installed, are negligent and careless, regarding the use of those alarms; and

WHEREAS, continuous false alarms lower the efficiency and preparedness of the officers of the Floyd County Police Department thereby causing persons with actual alarms or emergencies to be disadvantaged; and

WHEREAS, experience has indicated that when persons are assessed penalties for reporting false alarms the number of false alarms decrease dramatically.

NOW THEREFORE, be it ordained by the COUNTY COMMISSIONERS of FLOYD COUNTY, INDIANA that no person, business, or private institution shall report a false alarm to the Floyd County Police Department.

“False alarm” means, in the case of a burglar alarm, an alarm signal or recorded message indicating an attempted or unauthorized intrusion into a structure or the attempted commission of a crime, when in fact no evidence exists upon inspection of the premises upon response to such alarm.”

Any person who reports false alarms to the Floyd County Police Department shall be fined as follows during any calendar year:

1. Six false alarms in one calendar year shall be allowed at no penalty to the property owner.
2. The 7th false alarm shall result in a \$75.00 fine.
3. The 8th false alarm shall result in a \$150.00 fine.
4. The 9th and all subsequent false alarms shall result in a fine of \$300.00 each.

A company reporting an alarm as the agent for an alarm holder is not responsible for the payment of fines as outlined above, which are the sole responsibility of the property owner.

The Sheriff of Floyd County shall designate an individual to be in charge of tracking all reported false alarms reported to the Floyd County Police Department.

That upon the report of a false alarm the designated person above shall send notice to the offending property owner of the fine owed by the property owner in accordance to the above schedule of fines.

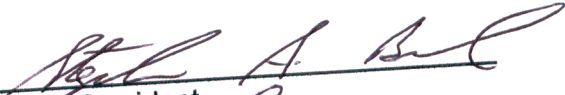
The property owner shall have fifteen (15) business days in which to pay the fine, which can be paid in cash, check or money order at the front window of the Floyd County Sheriff's Department.

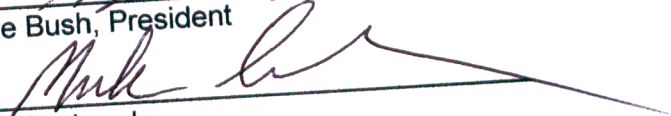
Failure to pay the assessed fine shall result in the matter being filed in the Superior Court II of Floyd County. The property owner and/or alarm company shall then be subject to court costs and attorney fees in addition to the appropriate fine above.

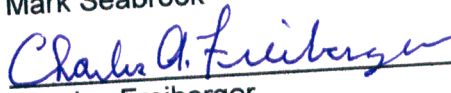
All fines collected in violation of this ordinance and in response to false alarms responded to by the Floyd County Police Department shall be paid directly to the Floyd County Special Car Fund.

This Ordinance shall become effective thirty (30) days after its passage upon reading and approval by the Floyd County Commissioners.

PASSED AND ADOPTED by the Floyd County Commissioners of the County of Floyd, Indiana, on the 15th day of September, 2009.


Steve Bush, President


Mark Seabrook


Charles Freiberger

ATTEST:


Teresa Plaiss, Auditor