

Ordinance No. 906-18

AN EMERGENCY ORDINANCE

To amend Sections 670A.01 and 670A.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended various ordinances, relating to registration of police alarm system users.

**Council Members Zone and Kelley
(by departmental request)**

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Sections 670A.01 and 670A.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1585-90, passed January 7, 1991, and Ordinance No. 220-11, passed March 28, 2011, are amended to read as follows:

Section 670A.01 Definitions

As used in this chapter, the following words and phrases shall have the following meanings:

(a) "Alarm system" means any device, which is designed or used for the detection of burglary or attempted burglary, or for alerting others of the commission of a robbery or attempted robbery within a building, structure or facility, or both, and which emits a sound or transmits a signal or message when activated for the purpose of deterring the intruder, or notifying another person of any of the above, and includes systems that transmit the signal or message directly to the Division of Police. "Alarm system" does not include any such device used exclusively to protect a residential premises. "Alarm system" does not include alarms on motor vehicles.

(b) "Alarm system user" means the person who ~~occupies a~~ owns, has control of, or the right to possession of the premises on which an alarm system is operated, ~~or if no person occupies the premises, the person having the right to possession of the premises on which the alarm system is operated.~~

(c) "Division of Police" means the Division of Police in the Department of Public Safety of the City of Cleveland.

(d) "Chief of Police" means the Chief of the Division of Police of the City of Cleveland.

(e) "Person" means an individual, firm, partnership, association, corporation, company or business of any kind.

(f) "Unnecessary alarm" means the activation of an alarm system whereby the Division of Police is summoned to a location when there is no incident occurring nor is there any evidence of any incident having occurred or having been attempted, as reported by the alarm. "Unnecessary alarm" shall also mean any violation of Section 670A.04. "Unnecessary alarm" shall not include alarms obviously attributable to extreme weather conditions, or power outages, the burden of proof of such exceptions to this section being on the alarm system user.

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Section 670A.03 Registration of Alarm System Users; Fee

(a) Each alarm system user shall register with the Commissioner of Assessments and Licenses using forms designated by the Commissioner for this purpose, and shall provide the name of the user, the location of the premises on which the alarm system is in operation, and other information as the Commissioner shall require.

(b) Each alarm system user on whose premises an alarm system is in operation on the effective date of this section shall initially register within ninety (90) days of the effective date of the section. Each alarm system user on whose premises an alarm system is placed in operation after the effective date of this section shall initially register not later than the date on which the system is placed in operation.

(c) ~~After the initial registration required by division (b) of this section, each alarm system user shall re-register between June 1 and June 30, inclusive, of each calendar year after the calendar year in which the initial registration is made~~ such registrations shall be issued as of January 1, and shall expire on December 31, next succeeding. Each registered alarm system user shall re-register each year before January 1. The period from July 1, 2018 through December 31, 2018 shall apply to the 2019 calendar year registration.

(d) Each alarm system user shall pay a fee of twenty-five dollars (\$25.00) for each registration or re- registration required by this section.

(e) ~~No person~~ alarm system user shall fail to register ~~or re-register as an alarm system user~~ as required by this section.

Section 2. That existing Sections 670.01 and 670A.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1585-90, passed January 7, 1991, and Ordinance No. 220-11, passed March 28, 2011, are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CEM:nl
7-18-18

FOR: Director Dumas

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**REPORT
after second Reading**

Council Members Zone and Kelley (by departmental request)

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READ FIRST TIME on JULY 18, 2018 **REPORTS**
and referred to **DIRECTORS** of Public Safety, Finance, Law;
COMMITTEES on Safety, Finance

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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**PASSAGE RECOMMENDED BY
COMMITTEE ON
SAFETY**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE**

FILED WITH COMMITTEE

