

## **Chapter 18 - EMERGENCY SERVICES**

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### **ARTICLE I - IN GENERAL**

#### ***Sec. 18-1 - Emergency operations plan***

An emergency operations plan is hereby established. The purpose of the plan is to maximize the protection of life and property, ensure the continuity of government, sustain survivors and repair essential facilities and utilities in the event of any disaster. The full plan that is a part of the city's administrative manual will be updated annually.

(Code 1993, § 2-3.04; Ord. No. 0-94-01, § 1, 1-12-1994)

**State Law reference** – Emergency management, Minn. Stats. ch. 12.

#### ***Secs. 18-2 – 18-20 - Reserved***

### **ARTICLE II - ALARM SYSTEMS<sup>1</sup>**

#### ***Sec. 18-21 - Scope and purpose***

- (a) *Scope.* This article provides regulation for the use of fire, burglary, and safety alarms, establishes user fees, and establishes a system of administration.

- (b) *Purpose.* The purpose of this article is to protect the public safety services of the city from misuse of public safety alarms and to provide for the maximum possible service to public safety alarm users.

(Code 1993, § 5-3.05(A))

***Sec. 18-22 - Definitions***

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alarm system* means an alarm installation used for the prevention or detection of burglary, robbery or fire and located in a building, structure or facility.

*Alarm user* means the person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure, or facility wherein an alarm system is maintained.

*Fire false alarm* means an alarm eliciting a response by personnel of a fire department when a situation requiring a response does not, in fact, exist, and when is caused by the activation of the alarm system through mechanical failure, pet movement, inadequate cleaning or maintenance, alarm malfunction, improper installation or the inadvertence of the owner/lessee of an alarm system or his or her employees/agents. False alarms do not include alarms caused by climatic conditions such as tornadoes, thunderstorms, utility line mishaps, violent conditions of nature or any other conditions which are clearly beyond the control of the alarm manufacturer, installer or owner.

*Security false alarm* means an alarm eliciting a response by police personnel of the city's policing agency when a situation requiring a response does not, in fact, exist, and which is caused by the activation of the alarm system through mechanical failure, pet movement, inadequate cleaning or maintenance, alarm malfunction, improper installation or the inadvertence of the owner or lessee of an alarm system or his or her employees/agents. False alarms do not include alarms caused by climatic conditions such as tornadoes, thunderstorms, utility line mishaps, violent conditions of nature or any other conditions which are clearly beyond the control of the alarm manufacturer, installer or owner.

(Code 1993, § 5-3.05(B); Ord. No. 21-01, § 1, 01-13-2021)

***Sec. 18-23 - False alarm fee required***

The responding police or fire department shall file a written report of each false alarm with the clerk. Upon receipt of the first false alarm report, the clerk shall notify the alarm user of the provisions of this Code. Upon receipt of a second and all subsequent false alarms at an address within one calendar year, the clerk shall, by mail, notify the alarm user of the fee enforced for said false alarm, such fees to be as established by the city council.

(Code 1993, § 5-3.05(C))

***Sec. 18-24 - Penalties and assessment***

Penalties for late payment of unpaid fees are as established by the city council. (Code 1993, § 5-3.05(D))

***Secs. 18-25 – 18-26 - Reserved***

**ARTICLE III - EMERGENCY SERVICES**

***Sec. 18-27 - Authority***

This article is adopted pursuant to Minn. Stats. §§ 415.01, 366.011 and 366.012. (Ord. No. 08-06, § 1, 12-10-2008)

***Sec. 18-28 - Application***

This article applies to emergency services provided by the city that relate to fire and rescue, including, but not limited to, vehicle fires, vehicle extractions, vehicle fluid spills and responses to damage caused by vehicles to power or gas lines.

(Ord. No. 08-06, § 1, 12-10-2008)

***Sec. 18-29 - Charges for emergency services***

The city may impose a reasonable service charge for the above emergency services. The amounts to be charged for these services shall be set forth by city council resolution.

(Ord. No. 08-06, § 1, 12-10-2008)

***Sec. 18-30 - Collection of charges***

If a service charge remains unpaid for 30 days after a notice of delinquency is sent to the recipient of the service or the recipient's representative or estate, the city may use any lawful means to collect the service charge that is allowed to a private party for the collection of an unsecured delinquent debt. The city may also use the authority of Minn. Stats. § 366.012 to collect unpaid service charges of this kind from recipients of services who are owners of taxable real property in the city, or in areas served by the city for emergency services.

(Ord. No. 08-06, § 1, 12-10-2008)

***Sec. 18-31 - Collection of unpaid service charges***

If the city is authorized to impose a service charge on the owner of a property for emergency services provided by the city, the city may certify to the county auditor on or before October 15 of each year, any unpaid service charges which shall then be collected together with property

taxes levied against the property. A service charge may be certified by the county auditor only, if on or before September 15, the city has given written notice to the property owner of its intention to certify the charge to the county auditor. The service charges shall be subject to the same penalties, interest and other conditions provided for in the collection of property taxes.

(Ord. No. 08-06, § 1, 12-10-2008)

***Sec. 18-32 - Supplemental powers***

The powers conferred by this article are in addition and supplemental to the powers conferred by any other law for a city to impose a service charge or assessment for a service provided by the city or contracted for by the city.

(Ord. No. 08-06, § 1, 12-10-2008)

Footnotes:

<sup>1</sup> **State Law reference** – Alarm transmission telephone devices, Minn. Stats. § 237.47.