

STATE OF GEORGIA
CITY OF RINCON

ORDINANCE

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF RINCON AMENDING THE CODE OF THE CITY OF RINCON, GEORGIA AT CHAPTER 38 (FIRE PREVENTION AND PROTECTION), ARTICLE I, TO ADD A NEW SECTION (38-5) REGARDING FALSE ALARMS AND PENALTIES; TO PROVIDE FOR NOTICE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.

WHEREAS, the duly elected governing authority of the City of Rincon, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

WHEREAS, the Mayor and Council have authority to amend the City’s ordinances from time to time and where necessary to maintain adequate regulations, and have passed a prior Resolution to initiate such change in this instance and;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF RINCON, in a regular meeting assembled and pursuant to lawful authority thereof, as follows:

Section 38- 5 Penalties for False Alarms

The purpose of this ordinance is to regulate the responsibilities of those persons who purchase, rent, or use alarm systems, devices, or services. This ordinance is also intended to encourage the improvement in reliability of these systems, devices, and services and to ensure that police and fire department personnel will not be unduly diverted from responding to actual emergencies because of responding to false alarms.

False alarm shall mean the activation of an alarm system to which the city responds and the investigating police officer, firefighter, or responding personnel determine that none of the emergencies for which the alarm system has been installed have in fact occurred.

For a police or fire response to any false alarm of an automatic response or independent alarm system, and excluding those that may be caused during the course of regular maintenance and caused by the licensed professional, the city shall charge and collect from the person, business or legal entity having or maintaining the automatic response alarm system on the premises owned or leased by these, fees as follows:

False alarms received during 12-month period	Fee
1—3	\$0.00/written warning
4—6	\$100.00 each
7—9	\$200.00 each
10 or more	\$300.00 each

Any residence, business, government entity, school, board of education or other similar entity which has multiple alarms at different locations shall be assessed an alarm fee for each false alarm received from each individual location based on the above schedule of fees.

Notice of fines shall be given to the person or business having or maintaining the alarm system of the conditions and requirements of this section, including the fee requirements for four or more false alarm responses by the police or fire department within the fiscal year. False alarm service fees assessed will be due and payable within 30 days following notice thereof, and treated as any other municipal liability, such as taxes, and issued a fine, and an execution.

Failure to pay. The payment of false alarm service fees billed to a business is a condition of that business operating within the city. The City Manager is authorized to withhold issuing or renewing a business license or business tax certificate to a business which has failed to pay a false alarm service fee. Any business which operates or continues to operate within the city when its business certificate or license has been withheld for nonpayment of the false alarm service fee will be deemed to be operating without a certificate or license and will be subject to the penalties resulting therefrom.

Severability. If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

Effective Date. This ordinance shall become effective immediately upon its adoption by the City Council.

Repeal. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SO ORDAINED this 11 day of March, 2024.



CITY OF RINCON


Ken Lee, Mayor

ATTEST: 

Dulcia King, City Clerk