

(Published in The McPherson Sentinel _____, 2013, once)

ORDINANCE NO. 3088

**AN ORDINANCE OF THE CITY OF MCPHERSON, KANSAS
ADDING A NEW SECTION TO CHAPTER 34, ARTICLE 1 OF
THE CODE OF THE CITY OF MCPHERSON, KANSAS
REGARDING FALSE FIRE ALARMS AT COLLEGE
DORMITORIES.**

WHEREAS, the current Uniform Public Offense Code as adopted by the City of McPherson, Kansas (“City”) makes it a Class A violation to cause a false alarm;

WHEREAS, the McPherson Fire Department has had an ongoing issue with false alarms being triggered at dormitories at the local college campuses;

WHEREAS, responding to false alarms endangers lives and property and wastes City resources;

WHEREAS, it is often difficult or impossible to find the responsible party for prosecution under the Uniform Public Offense Code as adopted by the City (“UPOC”); and

WHEREAS, the governing body of the City believes it is in the best interest of the City to amend the City Code to provide for monetary fines to the owners of the college dormitories in the event of repeated false alarms.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS:

Section 1. Addition of new Code section. From and after the effective date of this ordinance, Section 34-4 of the Code of the City is hereby added as follows:

Sec. 34-4. – *False alarms for college dormitories.*

(a) In the event that the McPherson Fire Department responds to a false alarm of fire at a residential living unit on the campus of an institution of higher learning within the City limits and after investigation, there are no individual(s) identified for which charges may be filed against for giving a false alarm under applicable City ordinance, the owner of the residential living unit may be assessed a fine equal to five hundred dollars (\$500.00) per false alarm. A false alarm shall be defined as transmitting in any manner to the fire department or emergency dispatch a false alarm of fire when there is no reasonable ground for believing that such a fire exists. It shall be presumed that no reasonable ground existed if the

responding fire department personnel can find no reasonable grounds for believing that a fire or other emergency existed and no individual acknowledges initiating the alarm to the responding fire department personnel. All fines collected herein shall be deposited in the general fund of the City.

Section 2. Repeal. All or parts of the Code conflicting with the provisions of this Ordinance are hereby repealed.

Section 3. Effective Date. This Ordinance shall become effective from and after its passage by the governing body of the City of McPherson and its publication once in the official City newspaper.

PASSED by the city commission and signed by the Mayor this 11th day of February, 2013.

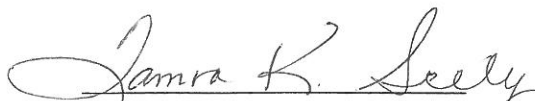
CITY OF MCPHERSON, KANSAS



[SEAL]


Thomas A. Brown, Mayor

Attest:


Tamra Seely, City Clerk