

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Gary Woll, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, do hereby certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

ORDINANCE NO. CO-2013-33

**AN ORDINANCE AMENDING TITLE III (ADMINISTRATION),
CHAPTER 32 (POLICE DEPARTMENT),
SECTION 32.19 (FALSE SECURITY SYSTEM ALARM RATES)
AND TITLE III (ADMINISTRATION), CHAPTER 33 (FIRE DEPARTMENT)
TO ADD A NEW SECTION 33.33 (FALSE FIRE ALARM RATES) OF
THE MAYWOOD VILLAGE CODE RELATIVE
TO FALSE SECURITY SYSTEM ALARM AND FALSE FIRE ALARM RATES**

which Ordinance was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 30th day of April, 2013, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 30th day of April, 2013.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Yarbrough Sr., Trustee(s) G. Guzman, A. Jaycox, E. Perkins,
M. Lightford and R. Rivers

NAYS: None

ABSENT: None

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 30th day of April, 2013.



Gary Woll

Village Clerk

ORDINANCE NO. CO-2013-33

**AN ORDINANCE AMENDING TITLE III (ADMINISTRATION),
CHAPTER 32 (POLICE DEPARTMENT),
SECTION 32.19 (FALSE SECURITY SYSTEM ALARM RATES)
AND TITLE III (ADMINISTRATION), CHAPTER 33 (FIRE DEPARTMENT)
TO ADD A NEW SECTION 33.33 (FALSE FIRE ALARM RATES) OF
THE MAYWOOD VILLAGE CODE RELATIVE TO
FALSE SECURITY SYSTEM ALARM AND FALSE FIRE ALARM RATES**

WHEREAS, the Village of Maywood (the "Village") is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the cost of the Village police and fire personnel in responding to false burglar and fire alarms has increased over the past several years while the Village has continued to charge rates for burglar and fire alarms that are lower than those of surrounding municipalities; and

WHEREAS, the President and Board of Trustees of the Village of Maywood find that it is necessary to amend the Section 32.19 (False Security System Alarm Rates), Chapter 32 (Police Department), Title III (Administration) and add a new Section 33.33 (False Fire Alarms Rates), Chapter 33 (Fire Department), Title III (Administration) of the Maywood Village Code to increase burglar and fire alarm rates in order to offset a portion of the increased costs of these services that the Village is incurring on an annual basis (the "Code Amendments"); and

WHEREAS, pursuant to the Village's home rule authority granted by Article VII, Section 6 of the Illinois Constitution of 1970, the President and Board of Trustees of the Village of Maywood have determined that it is in the best interests of the Village, its residents, property owners and business owners to approve the Code Amendments as set forth below.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, PURSUANT TO THEIR HOME-RULE AUTHORITY, SET FORTH AT ARTICLE VII, SECTION 6 OF THE ILLINOIS CONSTITUTION OF 1970, AS FOLLOWS:

SECTION 1: Each whereas paragraph set forth above is incorporated by reference into this Section 1 as material provisions of this Ordinance.

SECTION 2: Subsection 32.19 (False Security System Alarm Rates), Chapter 32 (Police Department), Title III (Administration) of the Maywood Village Code is amended in its entirety and reads as follows:

"§ 32.19 FALSE SECURITY SYSTEM ALARM RATES.

(A) In the event that any Village police officer responds to a security system alarm at any premises in the Village and the responding police officer or other Police Department personnel determines that the alarm was a false alarm in that the alarm system was defective or malfunctioned, the alarm was inadvertently and/or mistakenly activated by an owner, occupant or visitor to the premises, or was otherwise activated for any other reason other than an apparent attempt to enter, or entrance, onto the premises by an unauthorized person, the Police Department shall keep a log of the subject premises address and the date of each false alarm per month. If police units responding to an alarm and checking the protected premises, do not discover any evidence of unauthorized entry, or criminal activity, there shall be a rebuttable presumption that the alarm is false. Police Department records shall be prima facie evidence of the facts stated therein with regard to alarms and responses.

(B) If the alarm, when communicated to the Police Department before an officer is dispatched to investigate, is clearly identified to the Department as resulting from authorized entry, authorized system test or other noncriminal cause, or any other related incident where the system operated properly, it shall not be considered a false alarm.

~~(B)~~(C) By the fifteenth day of each month, the Police Department shall submit to the Village Finance Department a copy of the false alarm log for the previous month. On a quarterly basis~~Upon receipt of false alarm logs for an entire calendar year,~~ the Village Finance Department shall send an invoice to the owner(s) of the subject premises at the owner's last known address demanding payment for false alarms in accordance with the following ~~calendar year~~ fee schedule:

- (1) First 3 false security alarms: no charge;
- (2) Fourth through seventh false alarm: ~~\$500.75~~ per false alarm;
- (3) Each subsequent false alarm: ~~\$100.150~~ per false alarm.

~~(C)~~(D) The owner shall pay the full invoice amount to the Village Cashier within 30 days of the invoice date.

~~(D)~~(E) If the owner fails to cause the full invoice amount to be paid to the Village Cashier within 30 days of the invoice date, the Village Finance Director or the Finance Director's designee may issue a violation notice pursuant to Chapter 39 for the owner's failure to remit payment pursuant to division ~~(C)~~(D) of this Section."

SECTION 3: Chapter 33 (Fire Department), Title III (Administration) of the Maywood Village Code is amended by adding a new Subsection 33.33 (False Fire Alarm Rates), to read in its entirety as follows:

"§ 33.33 FALSE FIRE ALARM RATES.

(A) In the event that any Village police officer or firefighter responds to a fire alarm at any premises in the Village and the responding police officer or firefighter or other Police or Fire Department personnel determines that the alarm was a false alarm in that the alarm system was defective or malfunctioned, the alarm was inadvertently and/or mistakenly activated by an owner, occupant or visitor to the premises, or was otherwise activated for any other reason other than a fire, smoke, or an apparent attempt to enter, or entrance, onto the premises by an unauthorized person, the Police and Fire Departments shall keep a log of the subject premises address and the date of each false alarm per month. If police and/or fire units responding to an alarm and checking the protected premises, do not discover any evidence of unauthorized entry, criminal activity, smoke or fire, there shall be a rebuttable presumption that the alarm is false. Police and Fire Department records shall be prima facie evidence of the facts stated therein with regard to alarms and responses.

(B) If the alarm, when communicated to the Fire or Police Department before an officer or fire unit is dispatched to investigate, is clearly identified to the Departments as resulting from authorized entry, authorized system test or other noncriminal cause, presence of smoke due to accidental activation (e.g., burnt food) or any other related incident where the system operated properly, it shall not be considered a false alarm.

(C) By the fifteenth day of each month, the Police and Fire Departments shall submit to the Village Finance Department a copy of the false fire alarm log for the previous month. On a quarterly basis, the Village Finance Department shall send an invoice to the owner(s) of the subject premises at the owner's last known address demanding payment for false alarms in accordance with the following fee schedule:

_____ (1) First 3 false security alarms: no charge;

_____ (2) Fourth through seventh false alarm: ~~\$100~~ per false alarm;

_____ (3) Each subsequent false alarm: ~~\$200~~ per false alarm.

(D) The owner shall pay the full invoice amount to the Village Cashier within 30 days of the invoice date.

(E) If the owner fails to cause the full invoice amount to be paid to the Village Cashier within 30 days of the invoice date, the Village Finance Director or the Finance Director's designee may issue a violation notice pursuant to Chapter 39 for the owner's failure to remit payment pursuant to division (D) of this section."

SECTION 4: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 5: All tables of contents, indexes, and internal references or cross-references to sections that have been deleted or amended by the Code Amendments set forth above shall be amended so as to be consistent with the terms of this Ordinance.

SECTION 6: Each section, paragraph, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 7: Except as to the Code Amendments set forth above in this Ordinance, all Chapters and Sections of the Maywood Village Code, as amended, shall remain in full force and effect.

SECTION 8: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

ADOPTED this 30TH day of April 2013, pursuant to a roll call vote as follows:

AYES: Mayor Yarbrough Sr., Trustee(s) G. Guzman, A. Jaycox, E. Perkins,
M. Lightford and R. Rivers

NAYS: None

ABSENT: None

PASSED by the Corporate Authorities of the Village of Maywood, Cook County, Illinois on a roll call vote at a Regular Meeting thereof held on the 30th day of April, 2013, and approved by me as President, and attested by the Village Clerk on the same day.

ATTEST:

Gary Woll
VILLAGE CLERK



Thomas Yarbrough Sr.
VILLAGE PRESIDENT

Published by me in pamphlet form this 30th day of April, 2013.

Gary Woll
VILLAGE CLERK

