

ORDINANCE NO. 15,859

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 38-84.01, relating to administrative penalties for false fire alarms.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Section 38-84.01, relating to administrative penalties for false fire alarms, as follows:

Sec. 38-84.01. Administrative penalties for false fire alarms.

- (a) The Fire Department is authorized to impose administrative penalties upon fire alarm users who have one or more false alarms per calendar year. The administrative penalty for each false fire alarm shall be as provided in the schedule of administrative penalties adopted by the city council by resolution. Notice of violation, with the applicable penalty for such violation noted thereon, shall be issued by the fire chief or the chief's authorized representative to the violator. Penalties shall be paid in full within 30 days of the issuance of the notice. The notice of violation and appeal by the violator shall be pursuant to and in conformance with section 46-5 of this code.
- (b) The administrative penalties set out in the schedule of administrative penalties shall be charged in lieu of the fines and penalties provided for in section 38-85, unless the violator refuses to correct the violation and pay the scheduled administrative penalty, or the fire chief or the chief's authorized representative determines that immediate enforcement action by misdemeanor or municipal infraction prosecution pursuant to section 1-15 is, in view of the particular circumstances of the case, necessary to achieve compliance with the requirements of this article. The fire department shall maintain a record of all violations, administrative penalties charged or other enforcement actions taken.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato
Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 20-0260), passed by the City Council of said City at a meeting held February 10, 2020 signed by the Mayor on February 10, 2020 and published and provided by law in the Business Record on February 28, 2020. Authorized by Publication Order No. 11052.

P. Kay Cmelik, City Clerk