

ORDINANCE NO

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING CHAPTER 10.42 OF TITLE 10 OF THE SAN JOSE MUNICIPAL CODE TO REPEAL SECTION 10.42.110 AND TO AMEND SECTIONS 10.42.130 AND 10.42.140 TO REPEAL THE 60-DAY REPORTING PERIOD FOR FALSE ALARMS, TO PROVIDE A WARNING ON THE FIRST FALSE ALARM AND TO MAKE RESPONSIBLE PARTIES SUBJECT TO ADMINISTRATIVE CITATION ON A SECOND AND SUBSEQUENT FALSE ALARM IN CERTAIN CIRCUMSTANCES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Section 10.42.110 of Chapter 10.42 of Title 10 of the San José Municipal Code is hereby repealed.

~~10.42.110 Sixty-Day Period~~

~~"Sixty-Day (60) Period" means the period of time commencing upon the occurrence of an Initial False Alarm, and terminating sixty (60) consecutive days following the Initial False Alarm.~~

SECTION 2. Section 10.42.130 of Chapter 10.42 of Title 10 of the San José Municipal Code is amended to read as follows:

10.42.130 Multiple False Alarms

The Responsible Party shall ensure that the Police Department is not called upon to respond to a False Alarms.

SECTION 3. Section 10.42.140 of Chapter 10.42 of Title 10 of the San José Municipal

Code is amended to read as follows:

10.42.140 Civil Enforcement

- A. This Chapter is not subject to criminal enforcement.
- B. Responsible Parties shall be subject to Administrative Citations in accordance with Chapter 1.15 of Title 1 of this Code if a ~~third~~second or subsequent ~~False Alarm~~violation occurs on the same Premises within ~~the Sixty-Day Period~~a calendar year.

PASSED FOR PUBLICATION of title this _____ day of _____, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk