

ORDINANCE NO. 28602

AN ORDINANCE OF THE CITY OF SAN JOSÉ AMENDING CHAPTER 10.42 OF TITLE 10 OF THE SAN JOSÉ 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 JOSÉ:

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 Section 10.42.110 of Chapter 10.42 of Title 10 of the San José Municipal Code is hereby repealed.

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 False Alarm

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

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 Citation in accordance

with Chapter 1.15 of Title 1 of this Code if a second or *subsequent violation occurs on the same Premises within a calendar year.

PASSED FOR PUBLICATION of title this 16th day of June, 2009, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA,
LICCARDO, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: CHIRCO, NGUYEN.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk