

ENROLLED ORDINANCE 164-97

REPEAL AND RECREATE SECTION 18-3 TO CHANGE FALSE  
ALARM FEES AND ALLOW CITATIONS FOR FALSE ALARMS

WHEREAS section 18-3 of the Waukesha County Code provides a fee progression for false alarms responded to by the Sheriff's Department, and

WHEREAS the fee progression in section 18-3 is that the first two responses are no charge, the third is \$50.00, fourth \$75.00, fifth and subsequent false alarm \$100.00, and

WHEREAS the Sheriff is requesting the ability to charge a fee for the first two false alarms, and to issue citations for subsequent violations which requires enactment of an ordinance allowing the issuance of such citations and the establishment of a forfeiture schedule, and

WHEREAS, the Sheriff is requesting that the forfeiture schedule allow the issuance of citations for no less than \$50.00 and no more than \$300.00 for violations.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that:

Section I. That section 18-3(a) of the Waukesha County Code of Ordinances is repealed and recreated to read as follows:

Persons connecting to central alarm systems in accordance with this article shall pay the amount of \$90.00 to the county for first and second false alarms responded to by the sheriff's department for each premises connected in a calendar year.

Section II. That section 18-3 of the Waukesha County Code of Ordinances is amended by the addition of a new section (b) to read as follows:

1. The County elects to also use the citation method of enforcement under Section 66.0113 of the Wisconsin Statutes for violations of this ordinance, including those for which a statutory counterpart exists. The procedures contained in Section 66.0113(3) of the Wisconsin Statutes, relating to the options of an alleged violator and default are adopted and incorporated herein by reference.
2. The person issued a citation shall be required to remit an amount provided in a forfeiture schedule as from time to time adopted by the County Board in the Sheriff's Department budget.
3. A citation which is issued for a violation of this article shall conform to the requirements of section 66.0113(1), Wisconsin Statutes, and shall contain all information required by that statute, as it is from time to time amended. The schedule of cash deposits including the penalty assessment, jail assessment, crime lab assessment and drug/law enforcement assessment and any applicable domestic abuse assessment or consumer information assessments for use with citations issued under this section is adopted and is on file in the Offices of the Sheriff and Clerk of Courts. Receipts shall be given for cash deposits.
4. The procedures contained in Section 66.0113(3) of the Wisconsin Statutes, as it is from time to time amended, relating to the options of an alleged violator and default are adopted and incorporated herein by reference.

Section III. That citations for third and subsequent false alarms shall impose a forfeiture of no less than \$50.00 nor more than \$300.00 and that these amounts may be changed by the budget process in years after 2010.

Section IV. This ordinance shall be effective upon approval and publication.

Section V. Sections I and II of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Waukesha, Wisconsin, as an addition or amendment thereto and shall be appropriately renumbered to conform to the numbering system contained therein.

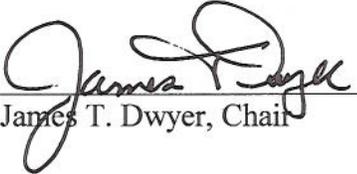
Section VI. Any code section or part of a section in conflict with this ordinance is hereby repealed and declared null and void and of no effect.

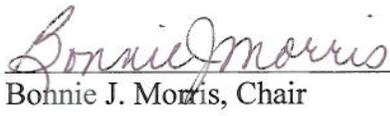
REPEAL AND RECREATE SECTIONS 18-3 AND 13-\* TO CHANGE FALSE ALARM FEES AND ALLOW CITATIONS FOR FALSE ALARMS

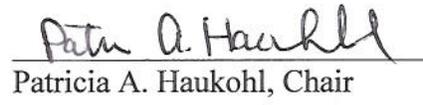
Presented by:  
Executive Committee

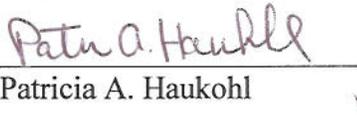
Approved by: Judiciary &  
Law Enforcement Committee

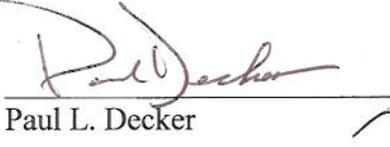
Approved by:  
Finance Committee

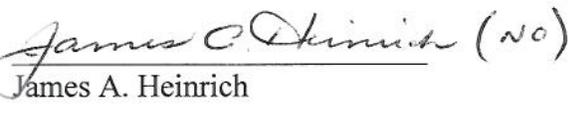
  
James T. Dwyer, Chair

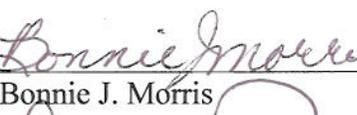
  
Bonnie J. Morris, Chair

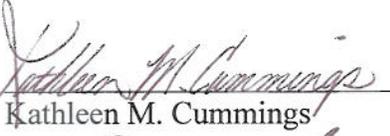
  
Patricia A. Haukohl, Chair

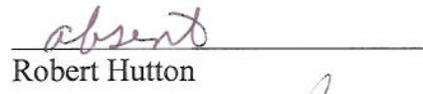
  
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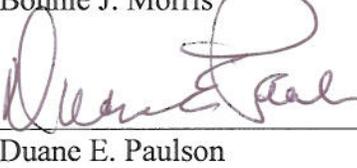
  
Paul L. Decker

 (no)  
James A. Heinrich

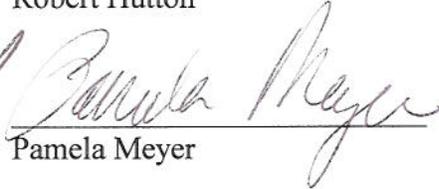
  
Bonnie J. Morris

  
Kathleen M. Cummings

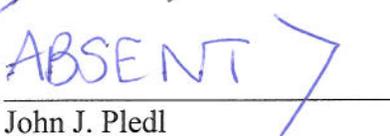
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Robert Hutton

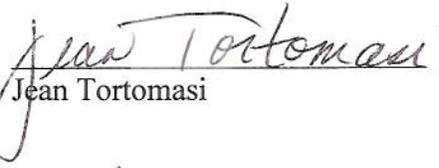
  
Duane E. Paulson

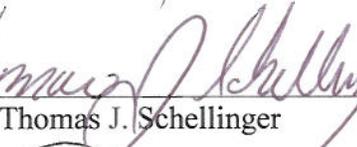
  
Dave Falstad

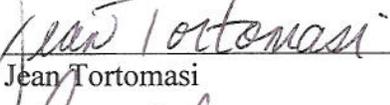
  
Pamela Meyer

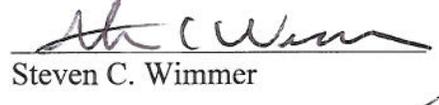
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Fritz Ruf

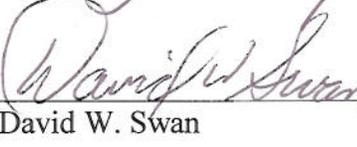
 [ABSENT]  
John J. Pledl

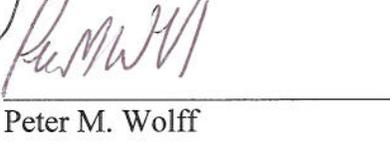
  
Jean Tortomasi

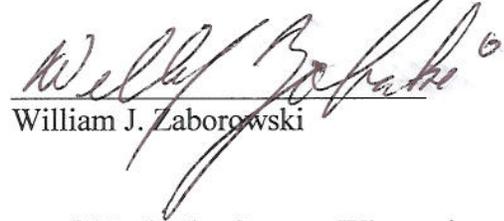
  
Thomas J. Schellinger

  
Jean Tortomasi

  
Steven C. Wimmer

  
David W. Swan

  
Peter M. Wolff

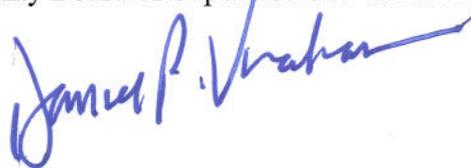
  
William J. Laborowski

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 3-30-2010,   
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X  
Vetoed: \_\_\_\_\_

Date: 3-30-10,   
Daniel P. Vrakas, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-03/23/10

(ORD) NUMBER-1640100

1 D. FALSTAD.....AYE  
3 R. HUTTON.....AYE  
5 J. JESKEWITZ.....AYE  
7 P. HAUKOHL.....NAY  
9 J. HEINRICH.....AYE  
11 F. RUF.....AYE  
13 P. DECKER.....AYE  
15 P. MEYERS.....  
17 J. TORTOMASI.....AYE  
19 S. WIMMER.....AYE  
21 W. ZABOROWSKI.....AYE  
23 J. PLEDL.....AYE  
25 G. YERKE.....AYE

2 T. ROLFS.....  
4 J. DWYER.....AYE  
6 J. BRANDTJEN.....  
8 T. SCHELLINGER....AYE  
10 D. SWAN.....AYE  
12 P. WOLFF.....AYE  
14 B. MORRIS.....AYE  
16 D. PAULSON.....AYE  
18 K. CUMMINGS.....NAY  
20 P. JASKE.....AYE  
22 P. GUNDRUM.....  
24 W. KOLB.....AYE

TOTAL AYES-19

TOTAL NAYS-02

CARRIED   X  

DEFEATED \_\_\_\_\_

UNANIMOUS \_\_\_\_\_

TOTAL VOTES-21

FISCAL NOTE

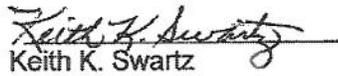
REPEAL AND RECREATE SECTIONS 18-3 AND 13-\* TO CHANGE FALSE ALARM FEES AND ALLOW CITATIONS FOR FALSE ALARMS

This ordinance requests to modify the County Code to establish a false alarm fee charge of \$90 for the first two responses. According to Department management, this fee amount is mainly based on the average cost of deputies time and vehicle use responding to false alarms.

The ordinance also modifies the County Code to elect to use the citation method for subsequent violations (beyond the first two) as allowed by State Statutes. The department management indicates that citations require additional court assessments by State Statutes. This citation method includes a forfeiture charge for not less than \$50.00 and not more than \$300.00 for third and subsequent false alarms. This proposed ordinance includes \$50 (+ \$136 in statutory fees) for the third response; \$75 (+ \$142 in statutory fees) for the fourth; and \$100 (+\$149 in statutory fees) for the fifth and subsequent false alarm responses. It also includes a provision to allow modifications to the proposed fee charge in future years through the proposed budget process by specifying the proposed fee charge amount and dollar amount of the change in the budget document.

According to the Sheriff's department management, the actual number of false alarms responded to was 327 in 2008 and 208 in 2009. The actual revenues generated from these false alarm fees paid totaled \$16,560 in 2008 and \$12,390 in 2009. The Sheriff's 2010 Adopted Budget includes estimated false alarm fee revenues at about \$16,000.

Sheriff's management indicates that the fee being imposed is expected to be a deterrent to false alarms. It is expected that the higher fee charges may result in fewer false alarms being responded to saving deputies time and resources. Therefore, the false alarm fee revenue in the 2010 budget is not being requested to be modified at this time.

  
Keith K. Swartz  
Budget Manager  
3/3/10

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