



**Roll Call Number**

**Agenda Item Number**

37

**Date** July 27, 2015

An Ordinance entitled, "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 38-81, relating to the definition of a false fire alarm",

which was considered and voted upon under Roll Call No. 15- 1171 of July 13, 2015; again presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given second vote for passage.

(Second of three required readings)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ City Clerk

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ORDINANCE NO. \_\_\_\_\_

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 38-81, relating to the definition of a false fire alarm.

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 38-81 relating to the definition of a false fire alarm, as follows:

**Sec. 38-81. Definitions.**

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*False alarm* means the activation of fire alarm system through technical failure, malfunction, improper installation, construction activity, system servicing or testing, or the negligence of the owner or lessee of an alarm system or of his or her employees or agents. A false alarm under this division does not include alarm system failures caused by water, gas, electrical, telephone or other transmission lines or devices not under control of an alarm user or his or her agent; the willful act of any person other than the alarm user or his or her agent, servant or employee; and does not include failures due to conditions clearly beyond the control of the alarm user or his or her agents, servants or employees. False fire alarm includes alarms which activate a signal to which the fire department responds with equipment and personnel without regard to whether the alarm is connected to any receiving alarm station. False alarm includes the willful use of an alarm system for purposes other than warning or notification of a fire. A false alarm does not include any activation of an alarm which is caused by storms, tornadoes or other violent weather conditions.  
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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  
Ann DiDonato  
Assistant City Attorney