

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 10 -88

) IN THE MATTER OF AMENDING CHAPTERS
) 3 AND 6 OF LANE CODE TO 1) REPEAL
) LC 3.445 USE OF AUTOMATIC PROTECTION
) DEVICES), 2) ENACT NEW LC 3.445
) WHICH REQUIRES THE POSTING OF A
) NOTICE AND AUTHORIZES THE SHERIFF OR
) APPLICABLE POLICE AGENCY TO CEASE
) THE OPERATION OF THE ALARM, 3) AMEND
) PENALTY SECTION (LC 3.990) 4) ADD
) PROVISIONS FOR IMPROPER USE OF
) EMERGENCY TELEPHONE SYSTEM (LC
) 6.600-6.610), 5) AMEND PENALTY
) SECTION (LC 6.995), ADOPT A SAVINGS
) CLAUSE AND DECLARE AN EMERGENCY

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JAN 06 1989

County Clerk
For Lane County, Oregon

BY Ann F. Morello

DEPUTY The Board of County Commissioners of Lane County ordains as follows:

Chapters 3 and 6 of Lane Code is hereby amended by removing and substituting the following pages:

REMOVE THESE PAGES

INSERT THESE PAGES

3.400 - 3.415(1),
i.e. 3-3
(a total of one page)

3.400 - 4.445(3),
i.e. 3-3
(a total of one page)

3.990(1) - 3.990(4),
i.e. 3-7
(a total of one page)

3.990(1) - 3.990(2),
i.e. 3-7
(a total of one page)

6.600 - 6.610(1) to
6.610(2) - 6.610(3),
i.e. 6-4a to 6-4b
(a total of two new pages)

6.995(1) - 6.995(3),
i.e. 6-7
(a total of one page)

6.995(1) - 6.995(3),
i.e. 6-7
(a total of one page)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to 1) repeal LC 3.445 (use of automatic protection devices), 2) enact new LC

- 1 - IN THE MATTER OF AMENDING CHAPTERS 3 AND 6 OF LANE CCDE TO
1) REPEAL LC 3.445 (USE OF AUTOMATIC PROTECTION DEVICES),
2) ENACT NEW LC 3.445 WHICH REQUIRES THE POSTING OF A
NOTICE AND AUTHORIZES THE SHERIFF OR APPLICABLE POLICE
AGENCY TO CEASE THE OPERATION OF THE ALARM, 3) AMEND
PENALTY SECTION (LC 3.990) 4) ADD PROVISIONS FOR IMPROPER
USE OF EMERGENCY TELEPHONE SYSTEM (LC 6.600-6.610), 5)
AMEND PENALTY SECTION (LC 6.995), ADOPT A SAVINGS CLAUSE
AND DECLARE AN EMERGENCY

3.445 which requires the posting of a notice and authorizes the sheriff or applicable police agency to cease the operation of the alarm, 3) amend penalty section (LC 3.990), 4) add provisions for improper use of emergency telephone system (LC 6.400-6.410), 5) amend penalty section (LC 6.995), adopt a savings clause and declare an emergency.

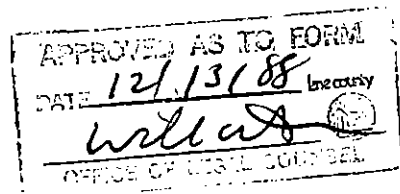
LC 3.445 repealed by this ordinance, shall remain in force to authorize the arrest, prosecution, conviction and punishment of a person who violates LC 3.445 prior to the effective date of this ordinance.

An emergency is hereby declared to exist and this Ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately.

Enacted this 4th day of January , 1989.

Steve Casper
Chair, Lane County Board of Commissioners.

Judy Hardeman
Recording Secretary for this Meeting of the Board



- 2 - IN THE MATTER OF AMENDING CHAPTERS 3 AND 6 OF LANE CODE TO
 - 1) REPEAL LC 3.445 (USE OF AUTOMATIC PROTECTION DEVICES),
 - 2) ENACT NEW LC 3.445 WHICH REQUIRES THE POSTING OF A NOTICE AND AUTHORIZES THE SHERIFF OR APPLICABLE POLICE AGENCY TO CEASE THE OPERATION OF THE ALARM, 3) AMEND PENALTY SECTION (LC 3.990) 4) ADD PROVISIONS FOR IMPROPER USE OF EMERGENCY TELEPHONE SYSTEM (LC 6.600-6.610), 5) AMEND PENALTY SECTION (LC 6.995), ADOPT A SAVINGS CLAUSE AND DECLARE AN EMERGENCY

3.400

Lane Code

3.[415(1)]445(3)

Regular Telephone Line. A general telephone line leading to the communications center of the fire department or police department, available for use by the public at large and identified by listing in the telephone directory issued by the telephone company serving the County.

Sensory Detection Apparatus. A mechanical or electrical device, part of an automatic protection device, which is designed for detection of any physical force or condition inherently characteristic of fire (other than water flow or manual fire alarms) or the unauthorized intrusion into or upon a protected premise.

Sheriff. The Director of the Department of Public Safety of Lane County.

3.405 Authority. This subchapter is consistent with ORS Chapter 670 but is adopted under authority of the Lane County Charter for the purpose of establishing procedures, practices and standards within the County for operation of emergency reporting equipment.

3.407 Exclusion. Section 3.445 does not apply to regulated public telephone utilities duly authorized to operate in the State of Oregon.

3.445 [Use of Automatic Protection Devices. Keying of automatic protection devices in a manner so as to send a prerecorded message directly over regular telephone lines to a fire department or police department of the County is hereby prohibited.]

Alarm Systems - Cessation of Transmission.

(1) An owner, lessor, installer or supplier shall see to it that a notice is posted containing the current name and telephone numbers of the person to be notified to disable an alarm and secure the premises whenever the alarm system is activated. The notice shall be posted near the alarm and shall be legible from the ground level adjacent to the premises where the alarm system is located.

(2) Upon request of the County or City, an owner, lessor, installer, supplier or person listed on the posted notice shall respond 60 minutes after being notified for a fire alarm system, or within 30 minutes after being notified for all other alarm systems to the premises where the alarm system is located, and shall disable the alarm and secure the premises.

(3) A police officer, deputy sheriff, or fire fighter may disable or cause an alarm system to be disabled if:

(a) A responsible party or person listed on the posted notice does not arrive within the above time requirements after being requested to do so by the County or City; or

(b) The alarm system has transmitted a signal for more than 10 minutes after the arrival of a police officer, deputy sheriff, or fire fighter and no responsible party or person listed on the posted notice is available to respond.

3.990(1)

Lane Code

3.990[(4)]2

ENFORCEMENT3.990 Violation.

(1) Violation of any of the requirements of LC 3.445(1) and (2), LC 3.501, or LC 3.605 through 3.615 above constitutes a County Infraction. Continued violations of this Chapter after 10 days from the service of Notice of the violation on the alleged violator, and continued violations after an order has been entered by the County Infractions Section for the same violation, constitute a separate County Infraction for each day the violation continues. The Sheriff, or said Sheriff's duly authorized representative, shall have the authority to sign County Infractions Complaints for violations of LC 3.445(1) and (2), 3.501 and 3.605 through 3.615 above.

(2) In addition to the remedies provided in LC 3.990(1) above, additional proceedings may be instituted, including, but not limited to, injunctive relief to enforce the provisions of this Chapter.

18-73; 4.5.74
1-77; 4.1.77
6-77; 7.29.77
14-77; 10.26.77
22-77; 12.28.77
1-88; 2.26.88

3-7

WP co00009/C

6.600

Lane Code

6.610(1)

IMPROPER USE OF EMERGENCY TELEPHONE SYSTEM

6.600 Findings and Intent. The Board of Commissioners finds that there has been deliberate and knowing use of 9-1-1 telephone lines for the purpose of initiating a false report, placing a prank call or making a request for emergency services where there exists no true emergency, and that Public Safety Answering Points (PSAPs) in Lane County experience repeated calls from citizens for emergency services when there exists no true emergency. Responding to such unlawful requests for services requires the use of personnel and equipment such that they are not available for response in the event of a true emergency. The purpose of this subchapter is to reduce such abuse and deliberate misuse of the 9-1-1 emergency telephone system and emergency services provided by the public safety agencies of Lane County to ensure the availability of 9-1-1 and other emergency telephone lines for the reporting of true emergencies in order that personnel and equipment may be available for use in true emergency situations, which will conserve energy and resources and reduce costs.

6.605 Definitions. For purposes of this subchapter, the following terms are defined as follows:

Automatic Dialing and Announcing Device. An electronically- or mechanically-operated instrument which automatically dials telephone numbers it has been programmed to dial and which plays a prerecorded message when answered.

Automatic Protection Device. An electronically or mechanically operated instrument that automatically signals or sends by any means (including direct or indirect connection to regular telephone lines) pictures, sound, odor or a prerecorded message, either by voice or other alarm, from a protected premises upon receipt of a stimulus from a sensory detection apparatus. Automatic protection devices shall include any audible alarm or light signaling device attached to the interior or exterior of a protected premises.

Emergency. Any situation which involves an immediate threat to property or persons.

Intentionally. As defined in ORS 161.085. 1987 ed.

Knowingly. As defined in ORS 161.085. 1987 ed.

9-1-1. Three-digit telephone number assigned for use by the public in reporting an emergency situation or summoning emergency assistance from a public safety agency.

Public Safety Agency. Any sheriff, police, fire or emergency medical entity operated by the state, County or city within Lane County.

6.610 Improper use. A person commits the crime of improper use of emergency telephone system by:

(1) Knowingly or intentionally dialing the 9-1-1 number for any purpose other than to report an event which the caller reasonably believes to be an emergency;

6.610(2)

Lane Code

6.610(3)

(2) Knowingly or intentionally programming and activating an automatic dialing and announcing device or an automatic protection device which results in the transmission of a prerecorded message to a public safety agency via 9-1-1.

(3) Knowingly allowing their telephone equipment to be used in violation of LC 6.610(1) and (2) above.

6.995(1)

Lane Code

6.995(3)

PENALTIES6.995 Penalties.

(1) Violation of LC 6.025, 6.030, 6.610 or 6.800 is punishable upon conviction by fine of not more than \$1,000 or by imprisonment in the County jail for not more than 30 days, or by both.

(2) Violation of LC 6.200, 6.710 or 6.715 is punishable upon conviction by a fine of not more than \$1,000 or by imprisonment in the County jail for not more than one year, or by both.

(3) Violation of LC 6.515, 6.540, 6.555, 6.580 or 6.590 is punishable upon conviction by a fine of not more than \$500 or by imprisonment in the County jail for not more than six months, or by both.

6-73; 5.30.73
 12-74, 8.7.74
 3-77; 5.25.77
 20-77; 12.21.77
 22-78; 10.13.78
 17-82; 7.16.82
 6.87; 7.3.87
 4-88; 6.1.88

6-7

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