

**BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO**

The Board of Township Trustees met in regular session at 6:00 p.m. this 19th day of April, 2018, with the following members present:

Joshua S. Gerth
Andrew S. Pappas
Robin D. Stone

Ms. Stone introduced the following resolution and moved its passage:

**RESOLUTION No. 18-0419-05
A RESOLUTION AUTHORIZING FALSE ALARM FEES**

WHEREAS, Section 505.511 of the Ohio Revised Code authorizes a board of township trustees of a township that has established a police district or operates a township police department to adopt a procedure to notify, assess, and collect charges for false alarms after the law enforcement agency with which the Township contracts for police services has answered a combined total of three false alarms from the same commercial or residential security alarm system within the township in the same calendar year; and

WHEREAS, the generation of false alarms in Anderson Township has resulted in a significant cost to Anderson Township as such false alarms require responses of law enforcement and emergency personnel which causes lost employee hours and lost productivity; and

WHEREAS, the Board of Township Trustees of Anderson Township contracts with the Hamilton County Sheriff (the "County Sheriff") and the Hamilton County Board of County Commissioners for the provision of police protection services in Anderson Township for which services Anderson Township compensates the County Sheriff; and

WHEREAS, this Board desires to alleviate the increased costs and lost productivity associated with the generation of false alarms in Anderson Township:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES (the "Board") OF ANDERSON TOWNSHIP, COUNTY OF HAMILTON, STATE OF OHIO (the "Township") as follows:

SECTION 1. After any law enforcement agency responsible for police protection services in the Township, including without limitation the County Sheriff and employees of the County Sheriff, has answered a combined total of three (3) false alarms from the same commercial or residential security alarm system within the Township in the same calendar year, the Fiscal Officer shall mail to the manager of the commercial establishment or the

occupant, lessee, agent, or tenant of the residence, a bill for each subsequent false alarm from the same alarm system during that year to defray the costs incurred by the Township. The amount of said bill shall be as follows:

- (1) For the fourth false alarm of that year \$50.00
- (2) For the fifth false alarm of that year\$100.00
- (3) For each false alarm in that year occurring after the fifth false alarm\$150.00

SECTION 2.

If payment of the bill is not received by the Township within thirty (30) days of its date, the Fiscal Officer shall send a notice by certified mail to the manager and to the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent, or tenant and to the owner, if different, of the real estate of which the residence is a part, indicating that failure to pay the bill, or to show just cause why the bill should not be paid, within thirty (30) days of the date of said notice, will result the assessment of a lien upon the real estate in the amount of the bill.

SECTION 3.

If payment is not received, or if just cause for nonpayment of the bill is not shown, within thirty (30) days of said notice, then the amount of the bill shall be entered upon the tax duplicate, shall be a lien upon the real estate from the date of the entry, and shall be collected as other taxes and returned to the Township treasury to be earmarked for use for police protection services.

SECTION 4.

The Fiscal Officer shall be responsible for maintaining a system of record keeping of false alarms in order to aid in the enforcement of this Resolution. To evidence just cause for nonpayment of a bill, the manager and/or the owner, if different, of the real estate of which the commercial establishment is a part, or the occupant, lessee, agent, or tenant and/or owner, if different, of the real estate of which the residence is a part, shall provide to the Township Administrator evidence of criminal activity, property damage or medical emergency that would justify a police response, within 30 days of the date of the notice referenced in SECTION 3, above. The Township Administrator who shall provide said persons the opportunity to be heard in person (and not by telephone) on the matter; provided, failure by an alarm company to properly install, monitor or service an alarm system, devices that activate for any reason other than documented criminal activity, property damage or medical emergency, and human error, among other things, will not be deemed to constitute just cause for nonpayment of bill.

SECTION 5.

That the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this Resolution.

SECTION 6.

That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Revised Code Section 121.22, except as otherwise permitted thereby.


Mr. Pappas seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mr. Gerth yes Mr. Pappas yes Ms. Stone yes

CERTIFICATION

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 19th day of April, 2018, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

Dated: April 19, 2018



Kenneth G. Dietz
Fiscal Officer
Anderson Township, Ohio