

Chapter 9.58 MISUSE OF THE 911 EMERGENCY RESPONSE SYSTEM

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9.58.010 Purpose.

The purpose of this chapter is intended to reduce the number of false requests for emergency services or similar misuse of the 911 emergency response system, which occurs within the city and results in the waste of city resources, by providing a criminal penalty for violators, imposing an administrative fee, and the potential discontinuation of service for such violators.

9.58.020 Definitions.

The following words as used in this chapter shall be defined as follows:

- A. "Person" includes any natural person, partnership, joint stock company, or corporation of any character whatsoever.

- B. "Misuse of the 911 system" is a request for emergency response services when no actual emergency exists and when the caller does not have a good faith basis to request emergency assistance. This includes, but is not limited to, repeated calls, continuous calls, and harassing calls to 911 when no emergency exists. This chapter shall not be applicable to mechanical activations of request for assistance, nor shall it be interpreted to impose liability on any person who makes a good faith request for emergency assistance based on a reasonable, factual basis that an emergency situation exists.

9.58.030 Unlawful acts designated.

It shall be unlawful for any person to misuse the 911 emergency response system. Any person violating this section shall be guilty of a gross misdemeanor. It shall be an affirmative defense that the person charged has a good faith, reasonable, factual basis for the request.

9.58.040 Imposition of fees.

In addition to any criminal penalty, the city may impose administrative sanctions up to five hundred dollars per incident at the request of the 911 Emergency Response Agency upon any misuse of the 911 emergency response system.

9.58.050 Discontinuation of services.

Upon the city's determination that a person(s) has violated any provision of this chapter, the 911 Emergency Response Agency may decline further responses to requests for emergency services originating from such person(s) as authorized by the chief of police.

9.58.060 Violation—Penalty.

Unless otherwise provided for in this chapter or by state statute adopted by reference, any person violating any provision of this chapter shall be punishable by a fine not to exceed five thousand dollars and/or up to one year in jail. Such penalty shall be in addition to any fee imposed and/or discontinuation of 911 emergency response services.

9.58.070 Resumption of service.

In the event that any premises is sold or leased to new persons not responsible for such violations, the chief of police, upon receipt of written notification from the residents, shall lift the administrative order and resume regular emergency response services in accordance with standard procedures.