

**City Of Woodland
City Council Meeting Agenda Summary Sheet**

Agenda Item: Adopt Ordinance No. 1292-amending WMC relating to abuse of 911	Agenda Item #: (J) Action
	For Agenda of: 03/03/2014
	Department: Police
	Date Submitted: 02/27/2014

Cost of Item: _____
Amount Budgeted: _____
Unexpended Balance: _____

BARS #: Description:

Department Supervisor Approval: Brad Gillaspie, Police Chief / s /

Committee Recommendation: Presented at the workshop on 2/24/2014

Agenda Item Supporting Narrative (list attachments, supporting documents): Ordinance No. 1292
Summary Statement/Department Recommendation: Recommend approval to adopt FIRST READING of Ordinance No. 1292-amending WMC relating to abuse of 911.

CITY OF WOODLAND

ORDINANCE NO. 1292

AN ORDINANCE ADDING TO TITLE 9 OF THE WOODLAND MUNICIPAL CODE THE OFFENSE OF MISUSE OF THE 911 EMERGENCY RESPONSE SYSTEM, A GROSS MISDEMEANOR AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION AS MORE PARTICULARLY SET FORTH HEREIN.

FINDINGS OF FACT

The City Council of the City of Woodland finds as follows:

WHEREAS, the City Police Department submits that it is necessary to reduce the number of false requests for emergency services, wasting City resources;

WHEREAS, providing for criminal penalties will deter such abuse;

AND, WHEREAS, it is in the public interest to adopt this policy.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Woodland as follows:

1. Creation of New Section - A Category of Offense Known as "Misuse of the 911 Emergency Response System"

New Section 1: 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.

New Section 2: 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.

New Section 3: Unlawful Acts Designated/Affirmative Defense. 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.

New Section 4: 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.

New Section 5: 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.

New Section 6: 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.

New Section 7: 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.

2. Severability

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or constitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

3. Effective Date

This ordinance shall become effective five (5) days after its publication in the media or paper of record as required by law.

4. Publishing

A summary of this ordinance shall be published.

This ordinance shall be in full force and effect five days after publication as required by law.

ADOPTED IN OPEN MEETING THIS 17TH day of March, 2014.

CITY OF WOODLAND, WASHINGTON

Approved:

Grover Laseke, Mayor

Attest:

Mari E. Ripp, Clerk/Treasurer

Approved as to form:

William J. Eling, City Attorney

**SUMMARY OF ORDINANCE NO. 1294
OF THE CITY OF WOODLAND, WASHINGTON**

On March 17, 2014 the City Council of the City of Woodland, Washington, approved Ordinance No. 1292 the main point which may be summarized by its title as follows:

AN ORDINANCE ADDING TO TITLE 9 OF THE WOODLAND MUNICIPAL CODE THE OFFENSE OF MISUSE OF THE 911 EMERGENCY RESPONSE SYSTEM, A GROSS MISDEMEANOR AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION AS MORE PARTICULARLY SET FORTH HEREIN.

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting on 17th day of March, 2014.

Mari E. Ripp, Clerk-Treasurer

Published: March 26, 2014
Effective: March 31, 2014