VILLAGE OF MAPLE PARK

ORDINANCE NO. 2025-08

AN ORDINANCE AMENDING CHAPTER 3 "GENERAL OFFENSES," SECTION 6-3-8 "MISCELLANEOUS OFFENSES" OF THE MAPLE PARK VILLAGE CODE

ADOPTED BY

THE BOARD OF TRUSTEES

OF THE

VILLAGE OF MAPLE PARK

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this 3rd day of June, 2025.

ORDINANCE NO. 2025-08

AN ORDINANCE AMENDING CHAPTER 3 "GENERAL OFFENSES," SECTION 6-3-8 "MISCELLANEOUS OFFENSES" OF THE MAPLE PARK VILLAGE CODE

WHEREAS, the Village of Maple Park, DeKalb and Kane Counties, Illinois is a duly organized and existing municipality created under the provisions of the laws of the State of Illinois; and,

WHEREAS, the President and Board of Trustees of the Village of Maple Park believe it is in the best interest of the health, safety, and welfare of its citizenry to adopt the update to the Village Code herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Maple Park, Illinois:

SECTION 1. That Chapter 3, "General Offenses," Section 6-3-8, "Miscellaneous Offenses" of the Maple Park Village Code shall be deleted in its entirety and replaced with Exhibit A attached hereto and incorporated herein.

PRESENTED to the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois this 3rd day of June, 2025.

APPROVED by the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois this 3rd day of June, 2025, as follows:

AYES: Speare, Bingley, Peloso, and Simon

NAYS: Ward

ABSENT: Groezinger

SIGNED by the President of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois this 3rd day of June, 2025.

MAPLE PARK INCORPORATED 1865 ILLINOIS

Chris Rebone, Village President

ATTEST:

Shannon Warford, Deputy Clerk

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I, Shannon Warford, certify that I am the duly appointed Deputy Clerk of Maple Park, Illinois.

I further certify that on the 3rd day of June, 2025, the Board of Trustees of the Village of Maple Park passed and approved Ordinance 2025-08, **"AN ORDINANCE AMENDING CHAPTER 3 "GENERAL OFFENSES," SECTION 6-3-8 "MISCELLANEOUS OFFENSES' OF THE MAPLE PARK VILLAGE CODE".**

Dated at Maple Park, Illinois, this 3rd day of June, 2025.

(SEAL)

Shannon Warford

Shannon Warford, Deputy Clerk

CHAPTER 3. GENERAL OFFENSES

Sec. 6-3-8-1. - Prisoners.

A. Escape. It shall be unlawful for any person to escape, attempt to escape, or to assist any prisoner to escape or attempt to escape from jail.
B. Communications with prisoners. It shall be unlawful for any person to communicate with any prisoner held in the jail without permission of the chief of police or the police officer in charge.

Sec. 6-3-8-2. -Security Alarms.

Section

A. Applicability
B. Definitions
C. Obligations of security alarm users
D. Audible security alarm systems
E. False security alarm activations
F. False security alarm determinations
G. False security alarm response fees
H. Village's limited liability

A. APPLICABILITY.

The provisions of this chapter apply to the operation of all nonresidential and residential security alarm systems.

B. DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALARMED PREMISES. Any residential or nonresidential building, structure, or facility where a security alarm system is installed to signal the occurrence of any actual or attempted burglary or other emergency that is intended to seek a response from police department personnel.

AUDIBLE ALARM SIGNAL. Any security alarm signal that may be heard outside of an alarmed premises which results in the dispatch of police department personnel.

AUTOMATIC TELEPHONE ALARM. A telephone device or telephone attachment which automatically relays a prerecorded message to report a robbery, burglary, or other emergency by

means of a telephone line that terminates at any office or telephone registered to the Village of Maple Park's Police Department contracted dispatch center (Kane County Communications).

DIGITAL ALARM COMMUNICATOR SYSTEMS. A system which transmits signals from a digital alarm communicator located at an alarmed premises through the public switched telephone network to a digital alarm communicator receiver located at a private alarm monitoring agency.

FALSE SECURITY ALARM. Activation or transmission of any residential or nonresidential alarm signal to police department personnel where it is determined that no actual emergency exists.

A FALSE SECURITY ALARM may be caused by human error, mechanical malfunction, weather or unknown causes.

NONRESIDENTIAL SECURITY ALARM SYSTEM. Any security alarm system installed, operated or used in a building or structure that does not contain residential dwelling units.

PERSON. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or its legal representative, agent or assigns.

PRIVATE SECURITY ALARM CONTRACTOR. Any person engaging in a business that sells, installs, maintains, alters, repairs, replaces, services or responds to security alarm systems at an alarmed premises.

PRIVATE SECURITY ALARM MONITORING AGENCY (AGENCY). Any person engaging in the private alarm contractor business, employing one or more person(s) in operating a certified, central security alarm system monitor agency.

RESIDENTIAL SECURITY ALARM SYSTEM(S). Any security alarm system installed, operated or used on the premises of any building which includes independent living facilities, i.e., permanent provisions for living, sleeping, eating, cooking and sanitation.

RESPONSE FEES. The fees charged to security alarm users to reimburse the village for response services for false security alarm signals.

RESPONSE SERVICE. Action taken by the police department personnel in response to a security alarm activation.

SECURITY ALARM SYSTEM.

(1) Any assembly of mechanical or electrical equipment arranged to activate an audible signal, visible signal, or remote signal to which police department personnel are expected to respond.

(2) Excluded from this definition are vehicle security alarms, electric, wired or battery-operated, single-station smoke detectors that emit audible or visual signals, and are primarily designed to alert occupants of an alarmed premises of a fire-related emergency.

SECURITY ALARM USER. A person who owns, operates, maintains, or controls premises or property where a security alarm system is installed and maintained for use.

C. OBLIGATIONS OF SECURITY ALARM USERS.

(1) Every security alarm user shall be knowledgeable about the operation of the security alarm system(s) and know his/her/its user and verification codes.

(2) Every security alarm user shall operate the alarmed premises and the security alarm system(s) in a manner that will minimize or eliminate false security alarms.

(3) Abstain from and prevent any manual activation of the security alarm system(s) except when emergency assistance is required or for village-approved testing.

D. AUDIBLE SECURITY ALARM SYSTEMS.

(1) Any responding police department personnel shall be authorized to reset, disconnect, or disable any security alarm emitting an audible security alarm signal which may be heard outside of the alarmed premises and that continues to emit an audible sound in excess of 15 minutes.

(2) The security alarm user shall be solely responsible for any damage to property or personal injury resulting from the action of police department personnel in resetting, disconnecting, or disabling the security alarm system, and for assuring that the security alarm system is accurately reset and functions properly.

E. FALSE SECURITY ALARM ACTIVATIONS.

(1) Except in a bona fide emergency, any security alarm user who, with or without intent, activates or permits the activation of a security alarm system for the purpose of summoning response services shall pay a fee to reimburse the village for the cost of such response services to such a false security alarm.

(2) Any person with knowledge that an activated alarm was caused by an electrical or other malfunction shall immediately notify the village of such malfunction.

F. FALSE SECURITY ALARM DETERMINATIONS.

For the purposes of this chapter, there shall be a rebuttable presumption that an alarm activation was a false security alarm where the responding police officer or personnel determines that: (1) there was no evidence of a crime, or other activity on the alarmed premises warranting a call for immediate police department response; (2) no individual who was on or near the alarmed premises or who had access to an alternate monitoring system from such premises called for police department dispatch or verified a need for any immediate response services; or (3) there was no physical evidence that violent conditions of nature or other extraordinary circumstances beyond the control of the security alarm user caused the activation of the alarm.

G. FALSE SECURITY ALARM RESPONSE FEES.

(1) A response fee (and not a tax) is hereby imposed on all security alarm users to reimburse the village for the increased costs incurred to provide response services to false security alarms from any security alarm system.

(2) For each such occurrence, the Chief of Police or his or her designee, shall send an invoice for response fees to the Security Alarm User in accordance with the provisions of this chapter.

(3) Such invoice shall be personally delivered or sent by postage paid U.S. mail to the Security Alarm User where the false security alarm(s) occurred.

(4) Payment of the invoice for response fees for false security alarms shall be due and payable within 30 days after it is mailed in accordance with the following schedule, as amended by the village from time to time:

(a) After the third false security alarm in a calendar year, the security alarm user shall pay a response fee of $100 for each false security alarm.

(b) For the fifth through the eighth false security alarms in a calendar year, the security alarm user shall pay a response fee of $200 per false security alarm.

(c) After the eighth false security alarm in any calendar year, the security alarm user shall pay a response fee of $400 per false security alarm.

(d) All invoices for response fees shall be paid within 30 days.

(e) The police department shall keep a complete and accurate record of all invoices for response fees and the amounts paid thereon.

(5) The village may take any lawful action to collect arrearages for invoices for reimbursement of response fees. Any delinquent account shall be subject to a service charge equal to 3% per month of the amount then due. The 3% service charge shall be added to the amount then due each month that any part of the charge is delinquent.

(6) Collection of fees. In addition to any outstanding response fees, there shall be added and imposed any and all additional fees incurred by the village to collect such debt. The additional fees to be added for a debt referred to a debt collection agency or attorney for collection shall be the greater of:

(a) The actual fees incurred by the village to collect such debt; or

(b) An amount equal to 35% of the debt.

H. VILLAGE'S LIMITED LIABILITY.

(1) The village assumes no liability for any defects in the operation of any security alarm system or for the failure or neglect of any person associated with the installation, operation or maintenance of a security alarm system; for the transmissions of security alarm signals; for the relaying of such signals and messages; for the failure or neglect of any security alarm user; for the transmission or receipt of alarm signals; or for any failure or neglect to respond upon receipt of a security alarm signal from any source.

(2) No special duty other than that owed to the general public shall be created by virtue of this chapter or as a result of the transmission to or receipt of security alarm signals by the police department.