

ORDINANCE NO. 2023-15

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING CHAPTER 9.18 OF THE RICHLAND MUNICIPAL
CODE RELATED TO MISUSE OF 911 EMERGENCY CALL
SYSTEM.**

WHEREAS, the 911 telephone system is a critical component in the emergency response system; and

WHEREAS, abuse of the 911 telephone system potentially delays the response of emergency personnel to true emergencies and results in distraction and wasted time for 911 dispatchers in the Southeast Communications Center (SECOMM), which is currently understaffed.

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

Section 1. Chapter 9.18 of the Richland Municipal Code, entitled Misuse of 911 Emergency System, as enacted by Ordinance No. 18-12, is hereby amended to read as follows:

**Chapter 9.18
MISUSE OF 911 EMERGENCY CALL SYSTEM**

Sections:

9.18.010 Purpose.

9.18.020 Definitions.

9.18.030 Misuse of 911 system.

9.18.040 Penalty.

9.18.010 Purpose.

This chapter is intended to reduce ~~the number of false requests for emergency assistance or similar misuse and abuse~~ of the 911 emergency response system ~~which occur within the city and result in waste of city resources~~ by providing for corrective administrative action upon the first offense, including fees and potential discontinuance of service and criminal sanctions for repeated violations.

9.18.020 Definitions.

The following persons or words used in this chapter shall be defined as set forth in this section:

A. "Person" includes any natural person, partnership, joint stock company, unincorporated association of society, or corporation of any character whatsoever; and

B. ~~"Misuse of the 911 system" is a request for emergency response when no actual emergency exists and when the caller does not have a good faith basis to request emergency assistance.~~ "Emergency" means any condition in which a reasonable person would believe emergency services will result in the saving of a life, a reduction in the destruction of property, quicker apprehension of a criminal, assistance with potentially life-threatening medical problems, a fire, a

need for rescue, an imminent potential crime, or a similar situation in which immediate assistance is required. "Emergency" also includes calls to 911, the purpose of which is to prevent an emergency response from being initiated when no such response is needed. This chapter shall does not apply be applicable to mechanical activations of requests 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.

9.18.030 Misuse of 911 system.

It shall be unlawful for any person to ~~misuse~~ the 911 system for any reason other than because of an emergency. It shall be an affirmative defense that the person charged has a good faith, reasonable, factual basis for believing an emergency exists as defined in RMC 9.18.020(B). ~~for the request.~~

~~The city shall impose the following administrative sanctions upon the request of the police or fire departments upon misuse of the emergency medical response system:~~

~~A. Upon a first response to a premises at which a request for emergency assistance has been made by misuse of the 911 system, notice of the conditions and requirements of this chapter shall be given to the person requesting emergency medical assistance. The notice shall indicate the penalty imposed by this chapter.~~

~~B. A person is guilty of misuse of the 911 emergency call system when:~~

- ~~1. Emergency response responds to a premises as a result of misuse as defined in RMC 9.18.020; and~~
- ~~2. Said response occurs within 12 months of any previous misuse as defined in RMC 9.18.020.~~

9.18.040 Penalty.

A. Upon a first offense for misuse of 911 system as provided in RMC 9.18.030, the offender will be given notice of the conditions and requirements of this chapter, including the penalty imposed by this chapter for any subsequent offense thereof. Notice may be given verbally or in writing and must be documented by the person giving notice. No formal documentation process is required.

B. Any person who commits a second or subsequent offense for misuse of 911 system as provided in RMC 9.18.030 after being given notice per RMC 9.18.040(A) shall be guilty of a misdemeanor.

~~Unless otherwise provided in this chapter or by state statute adopted by reference, any person violating any provision of this chapter shall be guilty of a misdemeanor.~~

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

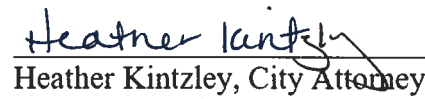
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 18th day of July, 2023.


Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: July 6, 2023
Second Reading: July 18, 2023
Date Published: July 23, 2023