

## **ORDINANCE NO. 3888**

**AN ORDINANCE AMENDING THE BROKEN ARROW CODE OF ORDINANCES, CHAPTER 16 - OFFENSES—MISCELLANEOUS, ARTICLE II. - OFFENSES AGAINST PUBLIC AUTHORITY, CREATING SECTION 16-50, TO MAKE IT UNLAWFUL TO ACTIVATE OR ATTEMPT TO ACTIVATE AN OUTDOOR WARNING SIREN WITHOUT PROPER AUTHORIZATION; PROVIDING FOR DEFINITIONS, PENALTIES, AND EXEMPTIONS; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:**

**SECTION I.** Broken Arrow Code Chapter 16 - Offenses—Miscellaneous, Article II. - Offenses Against Public Authority, Sec. 16-50. – Unauthorized Activation of Outdoor Warning Sirens, is hereby amended to read as follows:

### **SECTION 16-50. – Unauthorized Activation of Outdoor Warning Sirens.**

#### **A. Definitions.**

For the purposes of this section:

1. "Outdoor warning siren" shall mean any audible emergency alert device maintained or operated by the City of Broken Arrow or its authorized agencies, including but not limited to devices used to warn the public of severe weather, natural disasters, hazardous materials incidents, or other public emergencies.
2. "Authorized person" shall mean any individual who has received express authorization from the City of Broken Arrow Emergency Management Department, the Broken Arrow Fire Department, the Broken Arrow Police Department, or other appropriate city authority to operate, test, repair, or maintain an outdoor warning siren.

#### **B. Prohibited Conduct.**

It shall be unlawful for any person to:

1. Knowingly activate or attempt to activate an outdoor warning siren without proper authorization; or
2. Tamper with, manipulate, damage, disable, or interfere with any part of an outdoor warning siren or its control system, with the intent to cause or attempt to cause an unauthorized activation or to impair its function.

C. Penalty.

Any person found in violation of this section shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed \$500.00, imprisonment in the City jail for a period not to exceed sixty (60) days, or both such fine and imprisonment. Each unauthorized activation or attempt shall constitute a separate offense.

D. Exemptions.

This section shall not apply to:

1. Employees or contractors of the City of Broken Arrow or other authorized agencies acting within the scope of their official duties; or
2. Persons conducting routine testing or maintenance under the direction or supervision of the City of Broken Arrow Emergency Management Department or other authorized city agency.

**SECTION II. Severability.**

If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the remaining provisions, which shall remain in full force and effect.

**SECTION III. Emergency Clause.**

It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this ordinance shall take effect immediately upon its passage, approval, and publication as provided by law.

**PASSED AND APPROVED** and the clause ruled upon separately this 19<sup>th</sup> day of August, 2025.

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MAYOR

ATTEST:

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(Seal) DEPUTY CITY CLERK

APPROVED:

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ASSISTANT CITY ATTORNEY