

ORDINANCE NO. 2076

AN ORDINANCE AMENDING CHAPTER 12, ENTITLED LICENSES AND BUSINESS REGULATIONS, OF THE HURST CODE OF ORDINANCES BY AMENDING ARTICLE VI, ENTITLED ALARM SYSTEMS, SECTIONS 12-197, SECTION 12-204 SUBSECTION (a) AND SECTION 12-207 REGULATING FEES AND PERMITS PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Hurst desires to update regulations regarding fees and permits to discourage the use of alarm systems which cause an undue number of false alarms, thus wasting taxpayers money through unneeded police calls, and in the case of audible alarms, unnecessarily annoying persons in the vicinity thereof;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HURST, TEXAS;

Section. 1. THAT Chapter 12 of the Hurst Code of Ordinances, Article VI Sections 12-197. Fee, Section 12-204. Service Fee, and Section 12-207. Reinstatement of alarm permit is hereby amended to read as follows:

Sec. 12-197. Fee.

The annual fee for a permit or permit renewal for a residential alarm site is \$25. The annual fee for a permit or permit renewal for a commercial alarm site or a commercial hold-up alarm is \$75. No refund of a permit or permit renewal fee will be made. The initial annual permit fee must be submitted to the alarm permit officer by commercial establishments within fifteen (15) days after the alarm installation or alarm takeover.

Sec. 12-204. Service Fee.

(a) Except as otherwise provided in subsections (b) and (c) below, the permit holder shall be subject to service fees, warnings and suspension or revocation of permit depending on the number of false alarm dispatches emitted from an alarm system within a 12-month period based upon the following schedule:

<u>Number of False Alarm Dispatches</u>	<u>Action Taken</u>	<u>Fee</u>
1 - 3	None	0
4 - 5		\$50
6 - 7	On Site Written Notice & Suspension of Permit	\$75
8 or more	Revocation	\$100

- (b) Any person operating a non-permitted alarm system (whether revoked, suspended or never acquired) will be subject to a service fee up to \$500 for each false alarm dispatch.
- (c) Alarm dispatch requests caused by an actual criminal offense or with evidence of a criminal attempt, or as a result of a severe weather condition, shall not be counted as a false alarm dispatch. The permit holder has ten (10) days to produce evidence for changing the status of a false dispatch alarm to a true alarm.

Sec. 12-207. Reinstatement of alarm permit

A person whose alarm permit has been revoked or suspended may be issued a new permit if the person:

- (1) Submits an updated application and pays the \$25 residential, \$75 commercial or \$75 commercial hold-up alarm permit fee; and
- (2) Pays, or otherwise resolves, all citations and fines.”

Section 2: That all provisions of the ordinances of the City of Hurst in conflict with the provisions of this ordinance are, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Hurst not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3: That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

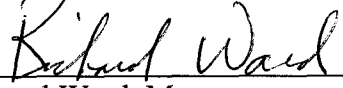
Section 4: This Ordinance shall take effect immediately from and after its passage and approval.

AND IT IS SO ORDERED.

Passed on first reading on the 9th day of September 2008, by a vote of 6 to 0.


Passed on second reading on the 23rd day of September 2008, by a vote of 6 to 0.

CITY OF HURST



Richard Ward, Mayor

ATTEST:



Rita Frick, City Secretary

Approved as to Form and Legality:



City Attorney