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29       **§ 4-2-13 PERMIT APPLICATION AND RENEWAL.**

- 30       (A)   A permit issued under this chapter is effective for 12 months from the date of  
31           issuance.
- 32       (B)   The [~~police chief~~] director shall issue a permit effective on the earlier of:
- 33           (1)   the date the application is processed; or
- 34           (2)   if the [~~Police Department~~] Development Services Department has responded  
35               to a false alarm notification at the alarm site subject to the application, the  
36               date of the first false alarm notification.
- 37       (C)   A permit issued under this chapter is non-transferable and non-refundable.

38       **PART 5.** City Code Section 4-2-15 (*Fees*) is amended to read as follows:

39       **§ 4-2-15 FEES.**

- 40       (A)   A permittee, including the holder of a master alarm permit, shall pay to the [~~Police~~  
41           ~~Department~~] Development Services Department:
- 42           (1)   the permit fee;
- 43           (2)   a late payment fee, if the person fails to pay the permit fee by its due date;  
44               and
- 45           (3)   other fees related to a permit, including a false alarm service fee assessed  
46               under Section 4-2-21 (*False Alarm Notification*).
- 47       (B)   The fees assessed under this section are established by separate ordinance.

48       **PART 6.** City Code Section 4-2-16 (*Grounds for Permit Denial*) is amended to read as  
49       follows:

50       **§ 4-2-16 GROUNDS FOR PERMIT DENIAL.**

51       The [~~police chief~~] director may deny an application for a permit if the applicant has:

- 52           (1)   made a false statement on the application;
- 53           (2)   made a false oral statement in connection with the application;
- 54           (3)   failed to pay a fee assessed under this chapter; or
- 55           (4)   had an alarm permit for an alarm site revoked and the violation resulting in  
56               the revocation remains uncorrected.

**PART 7.** City Code Section 4-2-17 (*Permit Revocation*) is amended to read as follows:

**§ 4-2-17 PERMIT REVOCATION.**

The ~~[police chief]~~ director shall revoke an alarm permit if the ~~[police chief]~~ director determines that:

- (1) an applicant has made:
  - (a) a false statement made on a permit application; or
  - (b) a false oral statement relating to a permit application; or
- (2) a permittee has:
  - (a) violated this chapter;
  - (b) failed to pay a fee assessed under this chapter; or
  - (c) failed to maintain the alarm system to minimize false alarm notifications and ensures proper operation of the alarm system.

**PART 8.** City Code Section 4-2-18 (*Reinstatement of Permit*) is amended to read as follows:

**§ 4-2-18 REINSTATEMENT OF PERMIT.**

The ~~[police chief]~~ director may reinstate a permit revoked under Section 4-2-17 (*Permit Revocation*) if the ~~[police chief]~~ director determines that the applicant:

- (1) has paid the fees required under Section 4-2-15 (*Fees*); and
- (2) operates the alarm system in accordance with this chapter.

**PART 9.** City Code Section 4-2-19 (*Appeal from Denial or Revocation*) is amended to read as follows:

**§ 4-2-19 APPEAL FROM DENIAL OR REVOCATION.**

- (A) If the ~~[police chief]~~ director denies an application or revokes a permit, the ~~[police chief]~~ director shall notify the applicant or permittee by certified mail, return receipt requested.
- (B) Not later than the 10th day after the affected person receives notice of an adverse action by the ~~[police chief]~~ director, the person may file a notice of appeal with the ~~[police chief]~~ director, including the reason for the appeal. Failure to file a timely appeal under this subsection results in the police chief's action becoming final.

- (C) If an applicant or permittee files a timely appeal under this section, the ~~[police chief's]~~ director's action is stayed.
- (D) The city manager shall appoint a hearing officer to hear the appeal. The formal rules of evidence do not apply at a hearing under this section. The hearing officer:
- (1) shall make a decision based on the basis of a preponderance of the evidence presented;
  - (2) shall render a decision not later than the 60th day after an appeal is filed; and
  - (3) may affirm, reverse, or modify the action of the director.
- (E) The decision of the hearing officer is final.

**PART 10.** City Code Section 4-2-20(C) is amended to read as follows:

- (C) A permittee shall notify the ~~[Police Department]~~ Development Services Department, if the permittee relinquishes control of the alarm site and cancels the permit. If a permittee fails to notify the ~~[Police Department]~~ Development Services Department, under this section, the permittee shall pay fees associated with the permit, if any.

**PART 11.** Subsection (E) of City Code Section 4-2-21 (*False Alarm Notification*) is amended to read as follows:

- (E) The ~~[police chief]~~ director may investigate and waive payment of a service fee assessed under this section.

**PART 12.** This ordinance takes effect on \_\_\_\_\_, 2021.

**PASSED AND APPROVED**

\_\_\_\_\_, 2021      §  
   §  
   § \_\_\_\_\_  
   Steve Adler  
   Mayor

**APPROVED:** \_\_\_\_\_  
                         Anne L. Morgan  
                         City Attorney

**ATTEST:** \_\_\_\_\_  
                         Jannette S. Goodall  
                         City Clerk