

ORDINANCE NO. 14,422

AN ORDINANCE OF THE CITY OF BAYTOWN, TEXAS, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE V "FINANCE," DIVISION 1 "GENERALLY," SECTION 2-595 "FEES FOR VARIOUS CITY SERVICES" OF THE CODE OF ORDINANCES, BAYTOWN, TEXAS, TO ADD A NEW SUBSECTION TO BE NUMBERED SUBSECTION (9) "PUBLIC SAFETY SERVICES"; AMENDING CHAPTER 30 "EMERGENCY SERVICES," ARTICLE II "ALARM SYSTEMS," DIVISION 2 "PERMIT," SECTION 30-27 "APPLICATION" AND DIVISION 3 "REGULATIONS," SECTION 30-38 "SERVICE FEE FOR FALSE ALARM" OF THE CODE OF ORDINANCES, BAYTOWN, TEXAS, TO UPDATE THE FEES FOR ALARM PERMITS AND FALSE ALARMS; PRESCRIBING A MAXIMUM PENALTY OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00); PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That Chapter 2 "Administration," Article V "Finance," Division 1 "Generally," Section 2-595 "Fees for various city services" of the Code of Ordinances, Baytown, Texas, is hereby amended by adding a subsection to be numbered Subsection (9) "Public safety services", which said subsection reads as follows:

CHAPTER 2. ADMINISTRATION

ARTICLE V. FINANCE

DIVISION 1. GENERALLY

Sec. 2-595. Fees for various city services.

The fees set out below are adopted for the city services outlined herein:

...

(9) *Public safety services.* The following fees shall be applicable to alarm systems:

Alarm Systems at Residential Locations		
Permit	Burglar Alarm	Fire Alarm
New Permit	\$15.00	Included with Burglar Alarm
Permit Renewal (10 days prior to expiration of existing permit)	\$10.00	Included with Burglar Alarm
Number of False Alarms (within preceding 12 months)	Burglar Alarm	Fire Alarm
4	\$50.00	\$50.00
5	\$50.00	\$50.00
6	\$75.00	\$75.00
7	\$75.00	\$75.00
8 or more	\$100.00	\$100.00

Alarm Systems at Commercial Locations		
Description	Burglar Alarm	Fire Alarm
New Permit	\$30.00	Included with Burglar Alarm
Permit Renewal (10 days prior to expiration of existing permit)	\$25.00	Included with Burglar Alarm
Number of False Alarms (within preceding 12 months)	Burglar/Alarm	Fire Alarm
4	\$50.00	\$100.00
5	\$50.00	\$100.00
6	\$75.00	\$200.00
7	\$75.00	\$200.00
8 or more	\$100.00	\$250.00
Additional Fees		
Description	Fee	
Civil Penalty for False Alarm when No Permit Obtained	\$250.00	
Late Fee (assessed 30 days after receipt of assessment notice)	10%	

Section 2: That Chapter 30 "Emergency Services," Article II "Alarm Systems," Division 2 "Permit," Section 30-27 "Application" of the Code of Ordinances, Baytown, Texas, is hereby amended to read as follows:

CHAPTER 30. EMERGENCY SERVICES

ARTICLE II. - ALARM SYSTEMS

DIVISION 2. PERMIT

Sec. 30-27. Application.

- (a) *Application.* Application for an alarm system permit shall be made with the city clerk by the person who is responsible for the proper maintenance and operation of the alarm system. Application shall be made in writing or in an acceptable electronic format by a person at least 18 years of age, on a form designated by the city and accompanied by a permit fee as established in section 2-595 of this code. The application shall include at least the following information:
- (1) The name, address and telephone number of the person responsible for the proper maintenance and operation of the alarm system and payment of fees or charges levied under this article;
 - (2) The address of the alarm site, and whether it is residential or commercial, including the name of all businesses operating at the site;
 - (3) The name, address and telephone number of the alarm protective service or person who will install or monitor the alarm system; and

- (4) The business and residence addresses and telephone numbers of the primary person designated to respond to an alarm site when requested by the city police or fire personnel and at least one other contact person at least 18 years of age.
- (b) *Renewal application.* An alarm permit holder may renew the permit holder's alarm permit by submitting a permit renewal application in writing or in an acceptable electronic format updating any information required in subsection (a) and submitting it to the city clerk at least ten (10) calendar days prior to the expiration of the then-current permit along with a renewal application fee as established in section 2-595 of this code.

Section 3: That Chapter 30 "Emergency Services," Article II "Alarm Systems," Division 3 "Regulations," Section 30-38 "Service fee for false alarm" of the Code of Ordinances, Baytown, Texas, is hereby amended to read as follows:

CHAPTER 30. EMERGENCY SERVICES

ARTICLE II. - ALARM SYSTEMS

DIVISION 3. REGULATIONS

Sec. 30-38. Service fee for false alarm.

- (a) A permit holder must pay any service fees assessed under the provisions of this section within 30 days after receipt of notice that the director has assessed it.
 - (1) *Burglar alarms.* A permit holder will be assessed a fee as established in section 2-595 of this code for the signaling of a false alarm by a burglar alarm system in excess of four false alarms which have occurred during the previous 12-month period.
 - (2) *Fire alarms.* A permit holder will be assessed a fee as established in section 2-595 of this code for the signaling of a false alarm by a fire alarm system in excess of four false alarms which have occurred at the permitted site during the term of the permit. .
- (b) In addition to the service fee prescribed in this section, the city shall assess a civil penalty in the amount established in section 2-595 for each law enforcement response to a signal from the alarm system requested by an alarm system monitor.
- (c) A service fee will not be assessed if:
 - (1) the police department fails to respond within a reasonable time of notification of a burglar alarm, or
 - (2) the permit holder or person who is required to obtain an alarm system permit shows to the police chief or fire chief, within ten calendar days of the false alarm notification, that the activation was not a false alarm, and the burden is on the permit holder or person who is required to obtain an alarm system permit that the activation of the alarm system was not a false alarm.

Section 4: Any person who fails to comply with any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding FIVE

HUNDRED AND NO/100 DOLLARS (\$500.00). Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects, this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 6: If any provision, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances; and to this end, all provisions of this ordinance are declared to be severable.

Section 7: This ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Baytown at least twice within ten (10) days after passage of this ordinance.

INTRODUCED, READ, and PASSED by the affirmative vote of the City Council of the City of Baytown, this the 25th day of June, 2020.


BRANDON CAPETILLO, Mayor

ATTEST:


LETICIA BRYSCH, City Clerk

APPROVED AS TO FORM:


KAREN L. HORNER, Interim City Attorney

