TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. 35-14

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING APPENDIX A "FEE SCHEDULE," OF THE CODE OF ORDINANCES TO AMEND THE FEE FOR EXCESSIVE FALSE ALARM NOTIFICATIONS AND THE ALARM PERMIT APPLICATION AND RENEWAL FEES; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the Town Council of the Town of Flower Mound has previously adopted a Fee Schedule in Appendix A to the Town of Flower Mound Code of Ordinances; and,

WHEREAS, the Town Council has determined that it is in the best interests of the Town of Flower Mound to amend the fees charged for a certain number of false alarm notifications and to amend the application and renewal fee to register an alarm system; and,

WHEREAS, the Town Council wishes to amend the Fee Schedule to reflect a fee of one hundred and fifty dollars ($150.00) for each false alarm occurring after the seventh false alarm at an address and to amend the Fee Schedule to require an annual renewal fee in certain circumstances and a waiver of the annual renewal fee in certain circumstances;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS:

SECTION 1

That Appendix A of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended by amending the schedule of fees corresponding to Section 30-33, "Service fees for excessive false alarm notifications" and Section 30-53, "Application fee" by amending the fee amounts pertaining to Chapter 30, "Emergency Services" to read as follows:

Chapter 30. Emergency Services.	
Code Section Number	Description
30-33	A fee of $50.00 for each other false alarm occurring after the third false alarm within said preceding 12-month period and $150.00 for each false alarm occurring after the seventh false alarm within said preceding 12-month period.
30-53	Initial alarm permit fee: $35.00 for residential permit; $50.00 for commercial permit. An annual renewal fee of $35.00 for residential; $50.00 for commercial for permit holders who have had a false alarm in the said preceding 12-month period. No annual renewal fee will be assessed to permit holders with no false alarms in the said preceding 12-month period.

SECTION 3

All ordinances, orders or resolutions heretofore passed and adopted by the Town Council of the Town of Flower Mound, Texas are hereby repealed to the extent that said ordinances, orders or resolutions, or parts thereof, are in conflict herewith.

SECTION 4

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.

SECTION 5

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 6

This Ordinance shall take effect and be in full force from and after October 1, 2014.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS BY A VOTE OF 3 TO 0 , ON THIS 21st DAY OF JULY, 2014.

APPROVED:

Thomas E. Hayden, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY

APPROVED AS TO FORM AND LEGALITY:

Bryn Meredith, TOWN ATTORNEY
Wayne Olson