

RESOLUTION NO. 13-60

A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE RELATING TO ALARM SERVICES.

WHEREAS, Draper City currently charges fees for false alarms in order to reduce the burden associated with the use of City resources and administrative costs incurred by responding to false alarms; and

WHEREAS, in order to promote a fair and efficient application of the false alarm fees it is necessary to clearly define the period in which fees are assessed; and

WHEREAS, in order to cover the increasing costs related to the resources and administrative costs incurred by responding to false alarms it is necessary to increase the fee assessed on false alarms; and

WHEREAS, the City Council hereby finds this action in the best interest of the public's health, safety and general welfare of the residents of Draper City, as well as promote the fiscal integrity of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH AS FOLLOWS:

Section 1. Approval. The City Council hereby amends the Draper City Consolidated Fee Schedule as shown in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THE 3rd DAY OF DECEMBER, 2013.

ATTEST:



DRAPER CITY


City Recorder

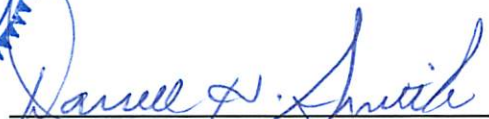

Mayor

Exhibit A

CONSOLIDATED FEE SCHEDULE

3. ALARM SERVICES

(Ord No. 344) (Revised per Ord. No. 850)

A) Alarm User Permit----- No Charge

False alarm fees are assessed after two false alarms occur in a calendar year. This applies to residents, small businesses, and large commercial and financial institutions. *(Res 04-38) (Amended per Res 08-41)*

B) False Alarm Fees. *(Res 04-38) (Amended per Res 08-41)*

- (i) Responding to two false alarms ----- No Charge
- (ii) Third false alarm ----- \$55.00 per responding unit
- (iii) Fourth false alarm ----- \$80.00 per responding unit
- (iv) In excess of four alarms ----- \$105.00 per responding unit

The maximum false alarm fees that may be charged as per Section 7-12-100 of the DCMC are as follows:

- (i) Residential (one or two family homes), two units
- (ii) Small business, two units
- (iii) Large commercial business, apartment complexes and financial institutions, four units

C) Late Fees - fees are due on the date the notice is issued by the City: *(Res. 02-35) (Amended per Res 06-54) (Amended per Res 08-41)*

- (i) Fees not paid within sixty (60) days have a penalty of 50% on the total unpaid balance including any unpaid late fees.
- (ii) Fees plus penalties not paid within ninety (90) days will be sent for collection for all penalties, costs and attorney's fees.

D) Interest Fees – are assessed on any unpaid obligations due Draper City with an outstanding balance in excess of 30 days from the date of the invoice at a rate of 18% annually or 1.5% per month. *(Res 08-41)*

or incident to the operation of such systems. In the event the City finds it necessary to order the system disconnected, the City shall incur no liability for such action.

Section 07-12-100 False Alarms.

(a) Any alarm user which has two or more false alarms within a twelve-month period shall be subject to revocation of the user permit and assessment of a civil penalty. Revocation of a user permit shall be in accordance with the license revocation provisions specified in Title 6 of this Code, as amended.

(b) Any alarm user which has four or more false alarms within a six-month period, and who fails to take any corrective action regarding the continued occurrence of false alarms shall, in addition to any civil penalties imposed under this Chapter, be guilty of a misdemeanor.

(c) A service fee is hereby imposed for false alarms on a physical duress or intrusion alarm system to which peace officers, including the fire department, respond. The fee is assessed to the user of the alarm system. The amount of the fee shall be as set forth in the Consolidated Fee Schedule.

(d) The maximum service fee that may be charged under this Section based on the typical response by alarm user type is as follows:

- (1) Residential (one or two family homes), two units
- (2) Small business, two units
- (3) Large commercial business, apartment complexes and financial institution, four units.

(e) All service fees assessed under this Chapter are due and payable on the date written notice of any fee due is issued by the Finance Department. Penalties for delinquent fees shall be as set forth in the Consolidated Fee Schedule. If any service fee is not paid within 120 days of the due date together with all applicable penalties, the City may use such lawful means as are available to collect such fee, including all penalties, costs and attorney's fees.

Section 07-12-110 Interagency Communications. A central station or other alarm dispatch center must provide the Police/Fire dispatch a toll-free telephone number for the conducting of business and contacting the central station dispatchers at the time of filing the alarm report.

Section 07-12-120 Deliberate False Alarms. No person shall cause to be transmitted any notice of an intrusion, physical duress or fire alarm trip, knowing the same to be false or without basis in fact. Central stations shall not request law enforcement officers or the fire department to respond to alarm scenes when monitoring equipment indicates an alarm system malfunction signal.

Section 07-12-130 Business License Revocation. Failure to timely pay any service fees imposed in this Chapter may result in the coordinator initiating action to revoke the business license of the alarm business.