

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 4-2 (ALARM SYSTEMS) RELATING TO ALARM SYSTEM REGULATIONS FOR RESIDENTIAL APARTMENT COMPLEXES, AUTHORIZING DIRECTOR DISCRETION FOR FEE WAIVERS, AND CHANGING REFERENCES WITHIN THE CHAPTER.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 4-2-1 (*Definitions*) is amended to rename and amend the definition for “Master Alarm Permit” and to amend the definition for “Personal Emergency Response System (Panic Button) Alarm” to read:

~~(2) ALARM SITE means the property served by an alarm system and under control of a single owner, tenant or lessor. For residential apartment complexes, each residential unit shall be considered a separate alarm site but non residential areas, including a common tenant area, office, storage, or equipment area will be considered a singular alarm site.~~

(9) PRINCIPAL ~~[MASTER]~~ ALARM PERMIT means a permit issued to the owner or property manager of a residential apartment complex in which an alarm system operates. ~~[in one or more individual residential units.]~~

(10) PERSONAL EMERGENCY RESPONSE SYSTEM (PANIC BUTTON) ALARM means an alarm system that is installed at the residence of a person or business, monitored by an alarm systems company, and designed only to permit the person to signal the occurrence of a medical or personal emergency so that the company may dispatch appropriate aid; it is not part of a burglar alarm system or fire alarm system.

PART 2. Subsection (C) of City Code 4-2-11 (*Permit Required*) is amended to read:

(C) A permit holder shall:

(1) keep the alarm permit at the alarm site; and

(2) produce the permit for inspection at the request of a ~~[a]~~ City employee. ~~[of the Development Services Department.]~~

PART 3. City Code 4-2-12 (*Permits For a System in an Apartment Complex*) is amended to amend Subsection (A) and to add a new Subsection (C) to read:

(A) The owner or property manager of an apartment complex shall obtain a principal ~~[master]~~ alarm permit if an alarm system is operated in:

Commented [EL1]: In Version 1, the ordinance amended the definition of “alarm site”. The text added to the definition will now appear in Section 4-21-12 (see Part 3 of this ordinance).

Commented [EL2]: This part is new. Inadvertently left out of Version 1.

- (1) a residential unit on the premises, whether the alarm system is furnished by the owner or property manager or contracted for by an individual tenant; or
- (2) a non-residential area of the apartment complex, including a common tenant area, office, storage, or equipment area.

(C) Alarm Sites at an Apartment Complex.

- (1) Each residential unit is considered a separate alarm site.
- (2) Non-residential areas, including a common tenant area, office, storage, or equipment area are considered a singular alarm site.

Commented [EL3]: In Version 1, this text is included in Part 1 of the ordinance.

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

§ 4-2-15 FEES.

- (A) A permittee, including the holder of a principal ~~[master]~~ alarm permit, shall pay to the Development Services Department:
- (1) the permit fee;
- (2) a late payment fee, if the person fails to pay the permit fee by its due date; and
- (3) other fees related to a permit, including a false alarm service fee assessed under Section 4-2-21 (*False Alarm Notification*).
- (B) The fees assessed under this section are established by separate ordinance.
- (C) Except for the permit fee, the director may investigate and waive payments of a fee assessed under this section.

PART 5. Subsections (A) and (B) of City Code Chapter 4-2-19 (*Appeal from Denial or Revocation*) is amended to read:

- (A) If the director denies an application or revokes a permit, the director shall notify the applicant or permittee in writing. ~~[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 director, the person may file a notice of appeal with the director, including the reason for the appeal. Failure to file a timely appeal under this subsection results in the director's ~~[police chief's]~~ action becoming final.

Commented [EL4]: This is a clarification edit.

PART 6. Subsection (C) of City Code Section 4-2-20 (*Operation and Maintenance of an Alarm System*) is amended to read:

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

PART 7. Subsections (C) and (D) of City Code Section 4-2-21 (*False Alarm Notification*) are amended to read:

- (C) Except as provided under subsection (D), a[A] tenant holding an individual alarm permit shall pay a false alarm notification fee related to a transmission from the alarm system in the tenant's unit.

- (D) A person [~~The permittee~~] holding the principal[~~master~~] alarm permit [~~holder~~] shall pay a false alarm notification fee for a false alarm transmission [~~related to a transmission~~] from:

- (1) a non-residential area of the apartment complex;
- (2) an unoccupied residential unit; or
- (3) an occupied residential unit when in [~~for which~~] a tenant has not obtained an individual alarm permit and it is if it was the first alarm transmission.;

PART 8. This ordinance takes effect on October 1st, 2024.

PASSED AND APPROVED

_____, 2024 § _____
Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____
Deborah Thomas Myrna Rios
Acting City Attorney City Clerk

Commented [EL5]: Rearranged the order and tweaked the text for clarity.

Commented [EL6]: Added an effective date.