

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:

- (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:
  - (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.

32 (C) Alarm Sites at an Apartment Complex.

33 (1) Each residential unit is considered a separate alarm site.

34 (2) Non-residential areas, including a common tenant area, office, storage, or  
35 equipment area are considered a singular alarm site.

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

37 **§ 4-2-15 FEES.**

38 (A) A permittee, including the holder of a principal ~~[master]~~ alarm permit, shall pay to  
39 the Development Services Department:

40 (1) the permit fee;

41 (2) a late payment fee, if the person fails to pay the permit fee by its due date;  
42 and

43 (3) other fees related to a permit, including a false alarm service fee assessed  
44 under Section 4-2-21 (*False Alarm Notification*).

45 (B) The fees assessed under this section are established by separate ordinance.

46 (C) Except for the permit fee, the director may investigate and waive payments of a fee  
47 assessed under this section.

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

50 (A) If the director denies an application or revokes a permit, the director shall notify  
51 the applicant or permittee in writing. ~~[by certified mail, return receipt requested.]~~

52 (B) Not later than the 10th day after the affected person receives notice of an adverse  
53 action by the director, the person may file a notice of appeal with the director,  
54 including the reason for the appeal. Failure to file a timely appeal under this  
55 subsection results in the director's ~~[police chief's]~~ action becoming final.

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

58 (C) A permittee shall notify the Development Services Department, in writing, if the  
59 permittee relinquishes control of the alarm site and cancels the permit. If a  
60 permittee fails to notify the Development Services Department, under this section,  
61 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 ~~[for which]~~ a tenant has not obtained an individual alarm permit and it is the first alarm transmission.

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

**PASSED AND APPROVED**

\_\_\_\_\_, 2024      § \_\_\_\_\_  
§ \_\_\_\_\_  
§ \_\_\_\_\_

Kirk Watson  
Mayor

**APPROVED:** \_\_\_\_\_

Deborah Thomas  
Acting City Attorney

**ATTEST:** \_\_\_\_\_

Myrna Rios  
City Clerk