

ORDINANCE NO. 1970

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DUNCANVILLE, TEXAS, BY AMENDING SECTION 12-173 OF ARTICLE XIX (“ALARM SYSTEMS”) OF CHAPTER 12 (MISCELLANEOUS OFFENSES AND PROVISIONS”), TO REVISE THE SERVICE CHARGES FOR FALSE ALARMS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That the Code of Ordnances of the City of Duncanville, Texas, be and is hereby amended by amending Article XIX (“Alarm Systems”) of Chapter 12 (“Miscellaneous Offenses and Provisions”), by replacing Section 12-173 (“False Alarm Service Charge”) with a new Section 12-173, said new Section 12-173 to read in its entirety as follows:

“CHAPTER 12

MISCELLANEOUS OFFENSES AND PROVISIONS

...

ARTICLE XIX. ALARM SYSTEMS

...

Sec. 12-173. False alarm service charge.

(a) A fee shall be imposed for the signaling of a false alarm if at least three other false alarms have occurred in the preceding 12-month period. If the location has had more than three but less than six other false alarms in the preceding 12-month period, the fee shall be \$50.00. If the location has had more than five but less than eight other false alarms in the preceding 12-month period, the fee shall be \$75.00. If the location has had eight or more other false alarms in the preceding 12-month period, the fee shall be \$100.00.

(b) A fee assessed under this section shall be paid within 30 days after transmittal of notice of assessment of the fee.

(c) The permit holder will be exempt from any fee charged for a false alarm notification which is later shown to have been, in the director's sole determination, justified or which was due to a natural or manmade catastrophe or other situation specifically exempted by the director."

SECTION 3. That all provisions of the ordinances of the City of Duncanville in conflict with the provisions of this ordinance be and the same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Duncanville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of Duncanville, Texas, on the 17th day
of January, 2006.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

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