

ORDINANCE NO. 2004-15-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE NUMBER 04-06-22 ENTITLED “ALARM SYSTEMS REGISTRATION”; AMENDING SECTION 4 ENTITLED “REGISTRATION OF ALARM SYSTEMS REQUIRED”; AMENDING SECTION 7 ENTITLED “ALARM REGISTRATION FEE”; AMENDING SECTION 8 ENTITLED “DUE DATE FOR PAYMENT AND TERM OF ALARM REGISTRATION”; AMENDING SECTION 10 ENTITLED “PROPER ALARM SYSTEMS OPERATIONS AND MAINTENANCE”; PROVIDING FOR WAIVER OF RENEWAL FEES; PROVIDING FOR AN ANNUAL REGISTRATION PERIOD; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt a Burglar Alarm Ordinance to protect the health and safety of its residents; and

WHEREAS, proper registration of all alarm systems aids the City in enforcing against false alarms thereby preventing unnecessary police emergency responses; and

WHEREAS, the City Council has received feedback from residents who wish to comply with the provisions of ordinance 04-06-22, but who also wish to have the fee waiver program reinstated as well as the standard annual registration period;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. Section 4 entitled “Registration of Alarm Systems Required” is hereby amended as follows.

(A) It is hereby deemed unlawful for any person to operate any alarm system required to be registered as provided herein prior to filing the required alarm registration. All alarm systems that operate within the City Limits shall be registered with the City prior to the operation of said alarm.

(B) A separate registration is required for each Alarm System.

(C) It shall be the duty of every Person owning, operating, or purchasing any business premises within the City Limits to comply with the requirements of this article prior to operating any alarm system.

(E) The owner/user shall complete and submit to the City an emergency contact registration form and thereafter an annual renewal registration form, with the appropriate fee(s), for each alarm in use in the City on his/her premises. Upon receipt of a completed registration form and collection of the registration fee or renewal fee, the City shall issue a numbered alarm registration sticker card to the applicant to facilitate retrieval of registration information.

Section 2. Section 7. Entitled "Alarm Registration Fee" is hereby amended as follows.

Fees to be charged for the purpose of administering this ordinance are hereby imposed as follows:

(A) The City shall charge an alarm registration fee in the amount of thirty-five (\$35.00) dollars for all new registrations.

(B) Thereafter, there shall be an annual registration fee of fifteen dollars (\$15.00) for the renewal of all alarm registrations.

(C) However, for those alarm owners/users that do not incur any false alarms during the prior registration period the renewal fee will be waived for the next renewal period.

Section 3. Section 8 Entitled "Due Date for Payment and Term of Alarm Registration" is hereby amended as follows:

(A) No Alarm Registration shall be issued for more than one year, and all registrations shall expire on ~~September 30th~~ December 31st of each year.

(B) Alarm Registrations shall be accepted by the City, commencing on ~~August 1st~~ January 1st of each year. Both the Alarm Registration renewal form and renewal fee of fifteen (\$15.00) dollars shall be due on or before ~~October 1st~~ January 1st of each year; unless the renewal fee is waived as per Section 7 above. If ~~October 1st~~ January 1st falls on a weekend or holiday, the fee shall be due and payable on or before the first working day following ~~October 1st~~ January 1st.

(C) Those registrations not renewed by ~~October 1st~~ January 1st shall be considered delinquent and the owner/user shall therefore be subject enforcement action as necessary to gain compliance with this ordinance.

Section 4. Section 10 entitled "Proper Alarm Systems Operations and Maintenance" is hereby amended as follows:

(A) A registered alarm owner/user shall:

- (1) Maintain the premises and the alarm system in a manner that will minimize or eliminate False Alarm Notifications;
- (2) Respond or cause his/her representative to appear at the systems location

within a reasonable period of time when notified by the Miami-Dade County Police Department to deactivate a malfunctioning alarm system, to provide access to the premises or to provide security for the premises;

- (3) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report. ~~and;~~
- ~~(4) Post the alarm sticker issued by the City on a window nearest to the front door of the residence or business of the alarm site or in a conspicuous location where the responding officers can easily see the sticker.~~

(B) An alarm owner/user shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal will automatically silence within ten (10) minutes after being activated (or 15 minutes for systems operating under UL 365 or UL 609).

(C) An alarm owner/user shall not operate an alarm system unless that system is equipped with a backup power supply that will become effective in the event of power failure or outage.

Section 5. Severability.

Provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional, shall decision shall not affect the validity of the remaining section, sentences, clauses and phrases of this Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Inclusion in Code.

It is the intention of this Commission and is hereby ordained that the provisions of this Ordinance shall become and made part of the City of Miami Gardens Code; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to Section or other appropriate word.

Section 7. Repealer.

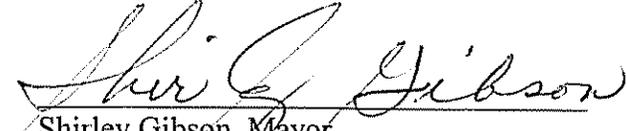
All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed. All provisions of the Code of Miami-Dade County as made applicable to the City pursuant to its Charter, which are in conflict with this Ordinance, are hereby repealed.

Section 8. Effective Date.

This Ordinance shall take effect ten (10) days after adoption on second reading.

PASSED on first reading this 14th day of July, 2004

PASSED AND ADOPTED on second reading this 28th day of July, 2004.


Shirley Gibson, Mayor

ATTEST:


Ronetta Taylor, City Clerk

Reviewed by SONJA K. KNIGHTON, ESQ.
City Attorney

MOVED BY: Councilman Braynon
SECONDED BY: Councilman Bratton

VOTE: 6-0

Mayor Shirley Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Aaron Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Oscar Braynon II	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Audrey King	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Barbara Watson	<u> </u> (Yes)	<u> </u> (No) Not Present