

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 5.48.020, 5.48.030, AND 5.48.060 OF TITLE 5, BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.48 AUTOMATIC AND MANUAL BURGLAR AND FIRE ALARMS OF THE CREST HILL CITY CODE OF ORDINANCES

WHEREAS, the City Council of the City of Crest Hill has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, City Council for the City of Crest Hill has heretofore enacted a Ordinance providing for the regulation and licensing of automatic and manual burglar and fire alarms in the City, specifically Chapter 5.48 of the City of Crest Hill Code of Ordinances, which includes a fee for false alarms; and

WHEREAS, the City Council has from time to time determined that its Ordinances and Code Section should be updated or amended and is authorized to do so; and

WHEREAS, in 2022, by Ordinance 1912, the City Council for the City of Crest Hill determined to increase initial and renewal alarm registration fees and false alarm fees; and

WHEREAS, the City Council has now determined that the initial and renewal registration fees for residential alarms presents a disproportionate financial burden on the City's residents in relation to the resources required of the City's staff to register said alarm systems; and

WHEREAS, the City Council has also determined that there is no such burden on Commercial Businesses.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREST HILL, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1: The City Council hereby finds that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2: That Sections 5.48.020, 5.48.030, and 5.48.060 of Title 5, Business Licenses and Regulations, Chapter 5.48 Automatic and Manual Burglar and Fire Alarms, are hereby repealed in their entirety and replaced as follows and with all other remaining Sections of Chapter 5.48 remaining the same:

§ 5.48.020 ANNUAL PERMIT.

All **commercial or business** permit holders shall be required to renew their permit each year by filling out the appropriate forms as supplied by the City Clerk and paying a \$100 renewal permit fee to the city on or before January 31 of each year. It is the intent of this section that each alarm equipment installing company shall pay only one \$100 renewal permit fee per year, regardless of how many alarms and signaling devices it has installed and has operating within the city during that year. **New and existing residential permit holders shall not be required to pay an initial or renewal registration fee but shall be required to continue to register their alarm system each year.**

('78 Code, § 5.48.020) (Ord. 522, passed - -81; Am. Ord. 798, passed - -91)

§ 5.48.030 FALSE ALARMS.

(A) Each person, firm or corporation holding a permit for the operation or maintenance of an automatic protection device or signaling device shall be responsible for any false alarms transmitted by the device which they operate or maintain. The Chief of Police or his designee shall maintain a record of all false alarms transmitted and pursuant to the required notice and opportunity to be heard, may revoke or suspend the user permit for the operation of an automatic protection device or signaling device involved in the transmission of four false alarms in any calendar year or may make reasonable charges therefor.

(B) The Chief of Police shall charge a **user permit holder** a fee of \$50 for the first false alarm in excess of one in any calendar year transmitted by any automatic protection device or signaling device. For each subsequent false alarm thereafter, the Chief of Police shall charge a user permit holder a fee of \$100. Such charges shall be remitted to the city by such user permit holder upon receipt of a statement of such charge. If the user permit holder does not pay said fee or fees within 30 days of the assessment thereof, the Chief of Police shall have the right to suspend the license of the permit holder until such time as the fee is paid.

(C) Whenever a **user permit holder** is charged a fee by the Chief of Police, the **user permit holder** may within seven days of the issuance of the fee submit a written appeal to the Chief of Police requesting that the fee be waived for the particular violation involved. This appeal shall specify the reasons by the user permit holder believes that the fee should be waived for the particular circumstances involved. The Chief of Police may, at his sole discretion, waive the fee or decide to impose the fee. (78' Code, § 5.48.040) (Ord. 522, passed - -81)

§ 5.48.060 APPLICATION FOR PERMIT BY USER.

New **commercial or business** applications for permits to maintain and operate an automatic protection device shall be filed with the Chief of Police on forms supplied

by the city with a new application fee of \$100 to the City Clerk. The application shall include the following:

(A) Name, address and telephone number of the applicant; the name, address and telephone number of the location where the alarm is to be installed, and a list of names and telephone numbers for persons who can be contacted for after hours emergencies.

(B) Name, address and telephone number of the alarm equipment installing company and type of business organization (individual, partnership, corporation); if a partnership, names and addresses of the partners; if a corporation, the names and addresses of the principal officers and the state where incorporated.

(C) A description of, and operational specifications for the automatic protection device or devices offered to the public, together with a statement that the equipment does comply with the standards of the Underwriters' Laboratories, the National Fire Protection Association, Factory Mutual or equal.

(D) A statement that all installations shall comply with the City Electrical Code and the National Code.

(E) All new residential systems shall be registered in the same fashion as commercial or business alarm systems with the exception that there shall be no initial or renewal registration fee.

('78 Code, § 5.48.060) (Ord. 522, passed - -81; Am. Ord. 798, passed - -91; Am. Ord. 979, passed 2-19-96)

SECTION 3: In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4: That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 5: That the City Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6: That this Ordinance shall take effect on January 1, 2024 but shall be published in pamphlet form and made available immediately upon its passage and approval and as provided by law.

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PASSED THIS _____ DAY OF _____, 2024.

| | Aye | Nay | Absent | Abstain |
|----------------------------|-------|-------|--------|---------|
| Alderman John Vershay | _____ | _____ | _____ | _____ |
| Alderman Scott Dyke | _____ | _____ | _____ | _____ |
| Alderwoman Claudia Gazal | _____ | _____ | _____ | _____ |
| Alderman Darrell Jefferson | _____ | _____ | _____ | _____ |
| Alderpersion Tina Oberlin | _____ | _____ | _____ | _____ |
| Alderman Mark Cipiti | _____ | _____ | _____ | _____ |
| Alderman Nate Albert | _____ | _____ | _____ | _____ |
| Alderman Joe Kubal | _____ | _____ | _____ | _____ |
| Mayor Raymond R. Soliman | _____ | _____ | _____ | _____ |

Christine Vershay-Hall, City Clerk

APPROVED THIS _____ DAY OF _____, 2024.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk