

AN ORDINANCE AMENDING CHAPTER 701, C.O.S., ENTITLED "ALARM SYSTEMS", PARTICULARLY SECTION 701.01 THEREOF, ENTITLED "ALARM LICENSE", SECTION 701.02 THEREOF, ENTITLED "LICENSE APPLICATION", SECTION 701.03 THEREOF, ENTITLED "LICENSE FEE", SECTION 701.05 THEREOF, ENTITLED "LICENSE REVOCATION, FALSE ALARMS" AND SECTION 701.99 THEREOF, ENTITLED "PENALTY".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That Chapter 701, C.O.S., entitled "Alarm Systems", particularly Section 701.01, entitled "Alarm License", which formerly read in pertinent part:

"701.01 ALARM LICENSE.

No person shall install, have installed, or operate any alarm system of any type other than residential property without an alarm license being first granted by the City to the alarm user. If a single alarm system serves more than one premises and emits a distinct signal for each premises served, a separate license must be purchased for each premises served by the alarm system."

be, and the same is, hereby amended to read henceforth as follows, with the remaining items to be re-lettered accordingly:

"701.01 ALARM LICENSE.

No person shall install or operate any alarm system of any type other than residential property without an alarm license being first granted by the City to the alarm user. If a single alarm system serves more than one premises and emits a distinct signal for each premises served, a separate license must be purchased for each premises served by the alarm system."

SECTION 2. That Chapter 701, C.O.S., entitled "Alarm Systems", particularly Section 701.02, entitled "License Application", which formerly read in pertinent part:

"701.02 LICENSE APPLICATION.

(a) Any person desiring the issuance or transfer of a license as required by this chapter shall file with the Alarm Administrator a written application, on a form to be provided, correctly containing the following information:

- (1) The full name and address of the applicant;
- (2) The common name of the alarm premises;
- (3) The name and address of the person installing, maintaining and/or owning the alarm system;
- (4) A description of the system's operation and, in the case of a direct connect alarm system, a floor plan of the premises;
- (5) The names and addresses of persons to be contacted in case of an alarm and/or a malfunction;
- (6) Any additional, relevant information specifically requested by the Alarm Administrator.

(b) The application form provided to the applicant shall be accompanied by a copy of this chapter."

be, and the same is, hereby amended to reach henceforth as follows:

"701.02 LICENSE APPLICATION.

(a) Any person desiring the issuance or transfer of a license as required

by this chapter shall file with the Alarm Administrator a written application, on a form to be provided, correctly containing the following information:

- (1) The full name and address of the applicant;
 - (2) The common name of the alarm premises;
 - (3) The name and address of the person installing, maintaining and/or owning the alarm system;
 - (4) A description of the system's operation and, in the case of a direct connect alarm system, a floor plan of the premises;
 - (5) The names and addresses of persons to be contacted in case of an alarm and/or a malfunction;
 - (6) Any additional, relevant information specifically requested by the Alarm Administrator.
- (b) The application form provided to the applicant shall be accompanied by a copy of this chapter.
- (c) The Alarm Administrator may fine any person, corporation or entity twenty five Dollars (\$25.00) per day for every day of noncompliance with this section.”

SECTION 3. That Chapter 701, C.O.S., entitled "Alarm Systems", particularly Section 701.03, entitled "License Fee", which formerly read in pertinent part:

“701.03 LICENSE FEE.

Concurrent with the filing of the application provided for in Section 701.02 the applicant shall pay a one-time fee of fifty dollars (\$50.00).”

be, and the same is, hereby amended to reach henceforth as follows:

“701.03 LICENSE FEE.

(a) Concurrent with the filing of the application provided for in Section 701.02 the applicant shall pay a one-time fee of fifty dollars (\$50.00).

(b) The Alarm Administrator may fine any person, corporation or entity twenty five Dollars (\$25.00) per day for every day of noncompliance with this section.”

SECTION 4. That Chapter 701, C.O.S., entitled "Alarm Systems", particularly Section 701.05(d), entitled "License Revocation, False Alarms", which formerly read in pertinent part:

“701.05 LICENSE REVOCATION, FALSE ALARMS.

(d) Notice of any action taken pursuant to this section, with the exception of a warning letter and alarm invoice, shall be personally served or sent by certified mail to the licensee's last known address. If the certified mail notice is returned unclaimed or refused, notice shall be sent by regular U.S. mail. Payment of any fee assessed under this section must be paid within ten (10) days of the sending of the notice. Failure to timely pay any assessed fee or file an appeal shall be considered cause for the revocation or non-renewal of the license. Any amount not paid may be referred to the Law Department for collection as in a civil action.”

be, and the same is, hereby amended to reach henceforth as follows:

“701.05 LICENSE REVOCATION, FALSE ALARMS.

(d) Notice of any action taken pursuant to this section, with the exception of a warning letter and alarm invoice, shall be personally served or sent by certified mail to the licensee's last known address. If the certified mail notice is returned unclaimed or refused, notice shall be sent by regular U.S. mail. Payment of any fee assessed under this section must be paid within thirty (30) days of the sending of the notice. Failure to timely pay any assessed fee or file an appeal shall be considered cause for the revocation or non-renewal of the license. Any amount not paid may be referred to the Law Department for collection as in a civil action.”

SECTION 4. That Chapter 701, C.O.S., entitled "Alarm Systems", particularly Section 701.99, entitled "Penalty", which formerly read in pertinent part:

“701.99 PENALTY.

Any person who violates any provision of Sections 701.01 and 701.03 of this chapter shall be fined not less than seventy-five dollars (\$75.00) and not more than five hundred dollars (\$500.00).”

be, and the same is, hereby amended to read henceforth as follows:

“701.99 PENALTY.

Any person who violates any provision of Sections 701.01 and 701.03 of this chapter is guilty of failing to license an alarm, a misdemeanor of the fourth degree. This provision does not preclude any other action that may be taken by law.”

SECTION 5. That all other terms and provisions of Chapter 701 not amended herein, be, and the same are, hereby reaffirmed as if fully reappearing herein.

SECTION 6. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees or subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 7. That this Ordinance was adopted pursuant to Section 4.11, Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL_____

ATTEST_____

Bonnie J. Emahiser
CLERK OF COUNCIL

Janet M. D'Antonio
PRESIDENT OF COUNCIL

FILED WITH MAYOR_____

APPROVED_____

Karen Fritschel
MAYOR

FILED WITH CLERK_____

APPROVED AS TO FORM

EFFECTIVE DATE_____

Brian A. Reali
LAW DIRECTOR