DIVISION 2. PERMIT

Sec. 26-131. Permit required; fees; application; transferability; false statements.

(a) A person commits an offense if he operates or causes to be operated an alarm system without an alarm permit issued by the chief of police. A separate permit is required for each alarm system.

(b) A fee for the application and issuance of each permit shall be establish by resolution. Such fee shall accompany the application when submitted to the city. Such fees are nonrefundable.

(c) Upon receipt of a completed application form and the required fee, the chief of police shall issue an alarm permit to an applicant unless the applicant has had an alarm permit for the alarm system revoked, and the violation causing the revocation has not been corrected or the alarm system does not meet the provisions of this article.

(d) Each permit application must contain the following information:

(1) Name, address and telephone number (both residential and business) of the permit holder who will be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this article.

(2) Classification of the alarm site as either residential or commercial or financial institution.

(3) For each alarm system located at the alarm site, the purpose of the alarm system (i.e. burglary, robbery, personal hostage, fire or medical emergency).

(4) Name, address and telephone number (both residential and business) of the person or persons to be notified in the event of an alarm activation.

(5) Description of the type of alarm system specifying the means by which police or emergency services are to be notified or summoned.

(6) Name and address or person, firm or entity installing the alarm system.

(e) Any false statement of a material matter made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit.

(f) An alarm permit cannot be transferred to another alarm system except by authorization of the chief of police. A permit holder shall inform the chief of police of any change that alters any information listed on the permit application within two business days. No fee will be assessed for such changes.

(g) A permit holder shall cancel a permit for any alarm system which is removed from an alarm site or which otherwise ceases to come under the permitting requirements of this article. Cancellation may be accomplished by returning the permit to the chief of police with the written notation "cancelled by permit holder."

(h) Information furnished in the permit application or otherwise by the permittee to the chief of police or maintained in the records of the city relevant to alarm systems or that concern the location of alarm systems, the name of the occupant of an alarm location, type of alarm system or operation of the alarm system is confidential and may not be disclosed without prior approval of the chief of police.

(Ord. No. 91-9, § II, 9-17-91)

Sec. 26-132. Permit duration and renewal.

A permit is issued annually and must be renewed every year by submission of an updated application. It is the responsibility of the permit holder to submit a renewal application prior to the permit expiration date. The permit shall be valid for one year beginning and ending on the anniversary date.

(Ord. No. 91-9, § III, 9-17-91)

Sec. 26-133. Revocation of permit.

(a) The chief of police may revoke an alarm permit if he determines that:

(1) There is a false statement of a material matter in the application for a permit;

(2) The permit holder has violated any section of this article; or

(3) The permit holder has failed to make payment of a renewal fee or service fee assessed under this article within 30 days of receiving notice to do so.

(b) A person commits an offense if he operates an alarm system during the period in which his alarm permit is revoked.

(Ord. No. 91-9, § XI, 9-17-91)

Sec. 26-134. Appeal from denial or revocation of permit.

(a) If the chief of police refuses to issue or renew a permit, or revokes a permit, he shall send to the applicant or permit holder by certified mail, return receipt requested, written notice of his action and a statement of the right to appeal. The applicant or permit holder may appeal the decision of the chief of police to the city manager by filing with the city manager a written request for a hearing, setting forth the reasons for the appeal, within ten days after receipt of the notice from the chief of police. The filing of any request for an appeal hearing with the city manager stays an action of the chief of police in revoking a permit until the city manager or his designated representative makes a formal determination. If a request for an appeal hearing it not made within the ten-day period, the action of the chief of police is final.

(b) The city manager shall set a time and place for such hearings, which shall be served upon the applicant or permit holder by certified mail, returned receipt requested. The city manager or his representative shall serve as hearing officer at an appeal hearing and consider evidence by any interested person. The formal rules of evidence do not apply at an appeal hearing. All parties to the hearing shall have the right to present evidence and shall have the right of cross examination. The hearing officer shall make his decision on the basis for a preponderance of the evidence within 15 days after the request for an appeal hearing is filed. The time for hearing an appeal may be extended by agreement of the parties. The hearing officer shall affirm, reverse or modify the action of the chief of police. The decision of the hearing officer is final as to administrative remedies within the city.

(Ord. No. 91-9, § XIII, 9-17-91)