

RESOLUTION NO. 2698

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, SPECIFYING FEES AND CHARGES FOR ALARM PERMITS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, concurrently with this resolution, the City Council of the City of Longview has repealed the ordinance that heretofore regulated burglary and robbery alarms in the City of Longview; and,

WHEREAS, in place of the aforesaid ordinance, the City Council has enacted a new ordinance regulating burglary and robbery alarms in the City of Longview; and,

WHEREAS, the new ordinance regulating burglary and robbery alarms requires that the fees and charges associated with said ordinance be established by resolution of the City Council; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved.

Section 2. That, in accordance with Section 70-53 of the Code of Ordinances of the City of Longview, the annual, nonrefundable alarm permit fee is ten (\$10) dollars; provided, however, that persons 65 years of age or older obtaining a permit for an alarm system operated at the person's primary residence are exempt from this fee.

Section 3. That, in accordance with Section 70-56 of the Code of Ordinances of the City of Longview and except as provided by Section 70-58 of said code, after the first five (5) alarms at an alarm site in a calendar year, an alarm user shall pay a service fee of fifty dollars (\$50) for each false alarm occurring at the alarm user's alarm site during the remainder of the calendar year.

Section 4. That, in accordance with Section 70-57 of the Code of Ordinances of the City of Longview, the nonrefundable fee for reinstatement of an alarm permit that has been revoked or suspended is one hundred dollars (\$100.00).

Section 5. That the meeting at which this resolution was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

Section 6. That all other prior resolutions or portions of resolutions of the City of Longview in conflict with the terms and provisions of this resolution are hereby repealed to the extent of such conflict only.

Section 7. That the repeal of any resolution or portion of a resolution by this resolution shall not affect the validity of any pending enforcement action or fees outstanding and due and payable for services rendered on or before the effective date of this resolution.

Section 8. That if any section, paragraph, subdivision, clause, phrase or provision of this resolution is hereafter determined to be invalid or violative of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City Council of the City of Longview that all other terms and provisions of this resolution not affected thereby shall remain in full force and effect.

Section 9. That this resolution shall be effective from and after the 1st day of January, 2002.

PASSED AND APPROVED this 25th day of October, 2001.

Mayor

ATTEST:

Lois McCaleb
City Secretary

APPROVED AS TO FORM:

Jim Finley
City Attorney