

AN ORDINANCE AMENDING SECTION 4-2-21 OF THE CITY CODE (*FALSE ALARM NOTIFICATION*) TO EXCLUDE FALSE ALARM NOTIFICATIONS RESULTING FROM POWER OUTAGES NOT CAUSED BY PERMITTEE FROM THE FALSE ALARM NOTIFICATION FEES; AND APPLYING THE EXCLUSION TO THE WINTER WEATHER EVENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS.

- (1) On January 31, 2023, a Winter Storm Warning was issued for the Austin area due to forecasted severe winter weather posing an imminent threat of widespread and severe property damage, injury, and loss of life due to a combination of prolonged freezing temperatures and rain resulting in heavy ice accumulation on freeways, surface roads, and trees.
- (2) From January 31, 2023, through February 2, 2022, the City experienced prolonged freezing temperatures and rain which resulted in significant ice accumulation on freeways, surface roads, and trees (“2023 Winter Weather Event”).
- (3) On February 3, 2023, Mayor Kirk Watson issued a Declaration of Local Disaster because the widespread and severe property damage and injury caused by the 2023 Winter Weather Event.
- (4) On February 4, 2021, Governor Greg Abbott issued a Declaration of State of Disaster because the 2023 Winter Weather Event caused widespread and severe property damage and injury due to significant ice accumulations, sub-freezing temperatures, freezing rain and sleet, hazardous travel disruptions, power outages, and heavy rain.
- (5) During the 2023 Winter Weather Event, there were several false alarm notifications that occurred because of power outages resulting from damage to power lines, downed tree limbs, and storm-related electrical box damage.

PART 2. City Code Section 4-2-21 (*False Alarm Notification*) is amended to read:

§ 4-2-21 FALSE ALARM NOTIFICATION.

- 1 (A) Except as provided in Subsection (F), if [H] an alarm system transmits more
2 than three false burglar alarm notifications within a 12-month period, the
3 permittee shall pay a service fee for the fourth and each subsequent false
4 burglar alarm notification.
- 5 (1) The service fee for more than three but fewer than six false burglar
6 alarms within the preceding 12-month period is \$50.
- 7 (2) The service fee for more than five but fewer than eight false burglar
8 alarms within the preceding 12-month period is \$75.
- 9 (3) The service fee for eight or more false burglar alarms within the
10 preceding 12-month period is \$100.
- 11 (B) Except as provided in Subsection (F), if [H] an alarm system transmits more
12 than two false personal emergency response system (panic button) alarm
13 notifications within a 12-month period, the permittee shall pay a service fee of
14 \$100 for the third and each subsequent false personal emergency response
15 system (panic button) alarm notification.
- 16 (C) A tenant holding an individual alarm permit shall pay a false alarm notification
17 fee related to a transmission from the alarm system in the tenant's unit.
- 18 (D) The permittee holding the master alarm permit holder shall pay a false alarm
19 notification fee related to a transmission from an unoccupied unit or a unit for
20 which a tenant has not obtained an individual alarm permit.
- 21 (E) The director may investigate and waive payment of a service fee assessed under
22 this section.
- 23 (F) A false burglar alarm or false personal emergency response system (panic
24 button) alarm notification that occurs due to a power outage not caused by a
25 permittee is not considered a false alarm notification subject to this section.

26 **PART 3. APPLICABILITY OF THIS ORDINANCE TO WINTER WEATHER**
27 **EVENT.**

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29 The change made by this ordinance applies to any false burglar alarm or false
30 personal emergency response system (panic button) alarm notification that
31 occurred after January 30, 2023 and before February 18, 2023.
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PART 4. This ordinance takes effect on _____, 2023.

PASSED AND APPROVED

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_____, 2023 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Myrna Rios
City Clerk